

H. B. No. 635, to Committee on State Highways and Motor Traffic.

Senate Resolution 267

Senator Corbin offered the following resolution:

Whereas, We are honored today to have in the gallery six students from the Plains High School, Plains, Texas, in Austin to participate in the one-act play contest, accompanied by A. B. Carpenter, Mrs. A. B. Carpenter, and Gerald Anderson; and

Whereas, These students and guests are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine class of young American citizens are here to observe and learn firsthand the workings of their State Government; now, therefore, be it

Resolved, That we officially recognize and welcome this class and commend them for their interest, and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Reports of Standing Committees

By unanimous consent, Senator Aikin submitted the following reports:

Austin, Texas,
May 7, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We your Committee on Education, to whom was referred H. B. No. 305, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Austin, Texas,
May 7, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We your Committee on Education, to whom was referred H. B. No. 437, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

By unanimous consent, Senator Lane submitted the following reports:

Austin, Texas,
May 7, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred H. B. No. 415, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

LANE, Chairman.

Austin, Texas,
May 7, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred H. B. No. 534, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

LANE, Chairman.

By unanimous consent Senator Secrest submitted the following report:

Austin, Texas,
May 7, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred H. B. No. 431, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

SECREST, Chairman.

Adjournment

On motion of Senator Weinert, the Senate at 12:35 o'clock p. m. adjourned until 10:30 o'clock a. m. on Monday, May 11, 1953.

Record of Vote

Senators Phillips and Willis asked to be recorded as voting "nay" on the motion to adjourn.

FIFTY-NINTH DAY

(Monday, May 11, 1953)

The Senate met at 10:30 o'clock a. m., pursuant to adjournment, and was called to order by the President.

The roll call was called and the following Senators were present:

Aikin	McDonald
Ashley	Moffett
Bell	Moore
Bracewell	Parkhouse
Colson	Phillips
Corbin	Rogers of Travis
Fuller	Rutherford
Hardeman	Sadler
Hazlewood	Secrest
Kazen	Shireman
Kelley	Strauss
Lane	Wagonseller
Latimer	Weinert
Lock	Willis
Martin	

Absent

Rogers	Russell
of Childress	

A quorum was announced present.

The Invocation was offered by the Reverend W. H. Townsend, Chaplain, as follows:

Our Father, the wind bloweth where it listeth, we hear the sound thereof, but can not tell whence it cometh or whither it goeth. Just so, may the unseen winds of thy spirit sweep over this Senate, making plain that there is a law above man's law. It may be denied, but never revoked; ignored, but never escaped. "Whatsoever a man soweth, that shall he also reap." "As a tree falls so shall it be." We pray in Christ's name. Amen.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, May 7, 1953, was dispensed with and the Journal was approved.

Senate Resolution 268

Senator Willis offered the following resolution:

Whereas, We are honored today to have in the gallery Marilyn Cavender, Frances Jenne Johnson, Cameron Alread, and Dobbie Matson from the Intermediate Department of the First Christian Church in Fort Worth, Texas, accompanied by their sponsors, Mr. and Mrs. W. R. Walton and son, Woody Walton; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City because they excelled in promoting attendance at Church and Sunday School, securing new members and other work promoting Christian influences and endeavour; and

Whereas, This fine group from the First Christian Church of Fort Worth, Texas, is here to observe and learn firsthand the working of their State government; now, therefore, be it

Resolved, That we officially recognize this fine group and commend them for their interest, and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to each in recognition of their visit.

The resolution was read and was adopted.

Senator Willis presented the guests to the Members of the Senate.

Presentation of Guests

Senator Lane, by unanimous consent of the Senate, presented as guests today Mr. Martin Weaver and Mr. Malcolm Weaver of Center and Mr. R. H. (Dick) Fonville of Center to the Members of the Senate.

Reports of Standing Committees

Senator Fuller submitted the following reports:

Austin, Texas,
May 11, 1953.

Hon. Ben Ramsey, President of the Senate,

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 551, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

FULLER, Chairman.

Austin, Texas,
May 11, 1953.

Hon. Ben Ramsey, President of the Senate,

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 552, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

FULLER, Chairman.

Austin, Texas,
May 11, 1953.

Hon. Ben Ramsey, President of the Senate,

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 553, have had the same

under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

FULLER, Chairman.

Austin, Texas,
May 11, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 860, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

FULLER, Chairman.

Austin, Texas,
May 11, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 851, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

FULLER, Chairman.

Austin, Texas,
May 11, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 884, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

FULLER, Chairman.

Senator Secrest submitted the following report:

Austin, Texas,
May 11, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred H. B. No. 624, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

SECREST, Chairman

Senator Parkhouse submitted the following report:

Austin, Texas,
May 11, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Towns and City Corporations, to whom was referred H. B. No. 848, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PARKHOUSE, Chairman

Senator Lock submitted the following reports:

Austin, Texas,
May 11, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred S. C. R. No. 49, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LOCK, Chairman

Austin, Texas,
May 11, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred H. B. No. 546, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LOCK, Chairman

Austin, Texas,
May 11, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred H. B. No. 113, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LOCK, Chairman

Austin, Texas,
May 11, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred H. B. No. 895, have had the same under con-

sideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LOCK, Chairman

Senator Secrest submitted the following report:

Austin, Texas,
May 11, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred H. B. No. 879, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

SECREST, Chairman

Senator Fuller submitted the following report:

Austin, Texas,
May 11, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 874, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

FULLER, Chairman

Senator Hardeman submitted the following report:

Austin, Texas,
May 7, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Water Rights, Irrigation and Drainage, to whom was referred H. B. No. 664, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Chairman

House Bill 624 Ordered Not Printed

On motion of Senator Shireman and by unanimous consent of the Senate, H. B. No. 624 was ordered not printed.

Message From the House

Hall of the House of Representatives.

Austin, Texas,
May 7, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. B. No. 184, A bill to be entitled "An Act to amend Article 2326, Revised Civil Statutes, 1925, as amended by Acts 1945, 49th Legislature, page 460, Chapter 291, and Acts 1949, 51st Legislature, page 820, Chapter 440; etc., and declaring an emergency."

(With amendments.)

H. B. No. 533, A bill to be entitled "An Act repealing subsections (b) and (d) of Section 5 of House Bill No. 79, Acts of the Second Called Session of the Forty-first Legislature, 1929, Chapter 10; and declaring an emergency."

H. B. No. 771, A bill to be entitled "An Act amending subsection 102 of Article 199 of the Revised Civil Statutes of Texas, 1925, as amended by Chapter 16, Acts, 1925, Thirty-ninth Legislature, Regular Session, as amended by Chapter 253, Acts, 1933, Forty-third Legislature, Regular Session, as amended by Chapter 103, Acts, 1933, Special Laws of the Forty-third Legislature, Regular Session, as amended by Chapter 158, Acts, 1935, Forty-fourth Legislature, Regular Session, as amended by Chapter 141, Section 1, Acts, 1937, Forty-fifth Legislature, Regular Session, providing for the time of holding the terms of Court of the District Court of the 102nd Judicial District of Texas in Bowie and Red River Counties; providing that during each term of said Court in Bowie County, Texas, the Court may sit in Texarkana, Texas, for the trying, hearing and determining of non-jury civil cases and matters; permitting the District Clerk of Bowie County to transfer records and minutes to Texarkana, Texas, and vice versa; etc., and declaring an emergency."

H. B. No. 872, A bill to be entitled "An Act providing a method of excluding from conservation districts lands therein, which are a part of any incorporated city of not less than twenty thousand (20,000) inhabitants according to the last available Federal Census and which city has lands of at least three (3) such conservation districts within its boundaries; providing such excluded land shall not be released from payment of its proportionate part of annual ad valorem taxes to pay certain bonded in-

debtedness, but not precluding exclusion of land upon payment of proportionate share of bonded indebtedness; and declaring an emergency."

H. B. No. 302, A bill to be entitled "An Act amending Article 2666 of the Revised Civil Statutes of 1925, as amended by Section 1 of Senate Bill No. 223, Acts of 42nd Legislature, R. S., 1931, Chapter 172, to provide for the abolishment of independent school districts created by the State Board of Education; providing for the inclusion of their territory and scholastic census in an existing school district; and declaring an emergency."

H. B. No. 303, A bill to be entitled "An Act to amend Article 2816 of the Revised Civil Statutes of 1925, changing the time requirements for the taking of the annual scholastic census and other supplemental census; amending Articles 2817, 2819, 2820 of the Revised Civil Statutes of 1925; amending Sections 1 and 2 of Senate Bill No. 419, Acts of 47th Legislature, R. S., 1941, ch. 113, (codified Article 2816a, V. A. C. S.); amending Sec. 1 of Senate Bill No. 232, Acts of 42nd Leg., R. S., 1931, Ch. 33 (codified Article 2817a, V. A. C. S.); amending Article 2821, Revised Civil Statutes of 1925, as amended by House Bill No. 572, Acts of 51st Legislature, R. S., 1949, ch. 379; amending Sections 1 and 2 of Senate Bill No. 42, Acts of 47th Leg., R. S., 1941, ch. 15 (codified Article 2822a, V. A. C. S.), all of which statutes are companionate statutes to Article 2816, supra, and are amended to correlate with Article 2816 as amended herein."

H. B. No. 312, A bill to be entitled "An Act authorizing State departments, boards, bureaus, and other agencies to contract with each other for furnishing the services of employees, materials and equipment; providing for the approval thereof by the Board of Control; authorizing interagency reimbursements; requiring certain information in annual reports; and declaring an emergency."

H. B. No. 324, A bill to be entitled "An Act providing for the use, operation and management by the Game and Fish Commission under its rules and regulations of land acquired by said Commission, including in such management authority to make disposition of timber and other plants and crops, make tenancy or rental

agreements, grant certain rights of way or easements, when such disposals, sales and leases shall not adversely affect or will be beneficial to game and fish protection, propagation or management; prescribing advertising procedures in sales or leases, disposing of proceeds thereof; authorizing acquisition and maintenance of necessary improvements on acquired lands; making this Act cumulative of other laws pertaining to Game and Fish Commission lands; providing a saving clause and declaring an emergency."

H. B. No. 353, A bill to be entitled "An Act amending Section 10, House Bill 69, Acts of the 51st Legislature, Regular Session, 1949, (Section 10 of Article 4590d, Revised Civil Statutes of Texas, 1925) by providing grounds for refusal of and cancellation, revocation and suspension of licenses, providing for the powers and duties of the State Board of Naturopathic Examiners in connection with the foregoing; and to amend the above act by adding a new section providing that the State Board of Naturopathic Examiners shall not accept any additional applications under the provisions of Section 12 of said act after the effective date of this act; and providing that the State Board of Naturopathic Examiners shall not issue any additional licenses under the provisions of Section 12 of said act after the effective date of this act; providing for severability and providing that the remainder of this act shall not be affected by the unconstitutionality of any part thereof, and declaring an emergency."

H. B. No. 770. A bill to be entitled "An Act amending subsection 5 of Article 199, Revised Civil Statutes of Texas of 1925, as amended by Chapter 254, Acts 1933, 43rd Legislature, as amended by Chapter 104, Acts 1933, 43rd Legislature, special laws, page 147, as amended by Chapter 159, Acts 1935, 44th Legislature, as amended by Chapter 143, Section 1, Acts 1937, 45th Legislature, as amended by Chapter 3, Acts 1939, 46th Legislature, as amended by Chapter 287, Section 1, Acts 1943, 48th Legislature, and as amended by Chapter 216, Acts 1951, 52nd Legislature, providing for the terms of court for Bowie and Cass Counties; providing that during each term of said Court in Bowie County, the Court may

sit in Texarkana, Texas, for the trying, hearing and determining of non-jury civil cases and matters; permitting the District Clerk of Bowie County to transfer records and minutes to Texarkana, Texas, and vice versa; providing for the Sheriff and District Clerk of Bowie County, Texas, to serve or furnish deputies at Texarkana, Texas, when court is held there; authorizing Commissioners Court to provide suitable quarters for court while sitting at Texarkana, Texas, or to make agreements in its discretion with City of Texarkana, Texas, for such purposes; repealing all laws or parts of laws in conflict herewith expressing the intent of the Legislature in passing said Act, and declaring an emergency."

H. B. No. 441, A bill to be entitled "An Act amending Section 7, House Bill 611, Chapter 562, page 914, General Laws of the State of Texas, Regular Session, 47th Legislature, Acts of 1941, being Section 7 of Article 695c, Vernon's Texas Civil Statutes, by adding a new section to be known as Section 7-A; creating a new Division within the State Department of Public Welfare to be known as the 'Commodity Distribution Division,' prescribing its powers, duties, and functions; providing for the employment of personnel necessary to carry out the provisions of this Act; authorizing the State Department of Public Welfare to enter into agreements with the Federal Government and with Distributing Agents for the purpose of effectively carrying out the provisions of this Act; providing for assessments for the handling of the commodities and providing for the safeguard and expenditure of the funds received in the form of assessments; providing for the purchase of equipment and for the transfer of equipment to the State Department of Public Welfare; providing for the disposition of the funds and equipment upon the termination of the program; authorizing the Executive Director of the State Department of Public Welfare to appoint advisory boards; making an appropriation for the remainder of the biennium ending August 31, 1953, for the purpose of setting up facilities for the distribution of commodities in accordance with the provisions of this Act; providing for the classification and the payment of salaries for employees and for the payment of other expenses within the limits of the appropriation; providing a repealing

clause, a saving clause, and declaring an emergency."

H. B. No. 609, A bill to be entitled "An Act to amend House Bill 127, Chapter 342, Acts of the 49th Legislature, Regular Session, 1945, being Article 4442b of the Revised Civil Statutes of Texas, and Article 701b of the Penal Code of Texas, providing for the licensing, inspection and regulation of nursing homes and related institutions as defined herein, defining certain terms used herein, providing for the enforcement procedures necessary to carry out the provisions of this Act, making an appropriation, providing a repealing clause, providing a saving clause and declaring an emergency."

H. B. No. 631, A bill to be entitled "An Act validating, ratifying, approving and confirming certain proceedings and bonds heretofore voted and issued or authorized by any fresh water supply district; validating the organization of fresh water supply districts; providing that this Act shall not validate any district or bond proceedings or bonds, the validity of which has been contested in any pending suit or litigation; and declaring an emergency."

H. B. No. 726, A bill to be entitled "An Act creating a conservation and reclamation district under the provisions of Section 59 of Article 16 of the Constitution, to be known as 'Nueces County Municipal Water Supply District'; enacting other provisions relating to the subject; repealing all laws or parts of laws in conflict therewith to the extent of the conflict only and otherwise making the Act cumulative of existing laws; and declaring an emergency."

H. B. No. 769, A bill to be entitled "An Act to amend Section 1 of Senate Bill No. 152, Chapter 77, Acts of the 41st Legislature, Second Called Session, 1929 (Art. 7258, V.A.C.S.), by providing that Tax Collectors shall in counties having 50,000 population, or more, according to the last preceding federal census, and of cities, political subdivisions or tax assessing districts within such counties, issue, upon request, a certificate showing the condition of taxes, interest, penalty and costs on the property therein stated, and providing that all such certificates issued which shall show all taxes, interest, penalty and costs on the property stated therein to be paid to and

including the year thereon stated; shall be conclusive evidence of the payment of all such taxes, interest, penalty and costs, providing same was not issued through fraud or collusion; and providing that Tax Collector and his deputies shall be liable for loss resulting from fraud and collusion or negligence in issuing such certificate; and repealing all laws or parts of laws in conflict therewith; and declaring an emergency."

H. B. No. 430, A bill to be entitled "An Act to amend Section 9 of Senate Bill No. 270, Chapter 7, Acts of the 46th Legislature, Regular Session; as amended by Senate Bill 158, Chapter 87, Acts of the 48th Legislature, Regular Session; and House Bill No. 437, Chapter 207, Acts of the 49th Legislature, Regular Session; and House Bill 353, Chapter 72, Acts of the 50th Legislature, Regular Session; and House Bill 653, Chapter 271, Acts of the 51st Legislature, Regular Session; to extend the time of existence of the Special Ninth Judicial District Court of Montgomery, Polk, San Jacinto and Trinity Counties; and declaring an emergency."

H. B. No. 555, A bill to be entitled "An Act prescribing game laws for Tyler County and portions thereof pertaining to the taking of fish and for the hunting of squirrel and deer in said county; providing closed seasons; prescribing a penalty for violations; repealing Chapter 278, page 505, Acts, Regular Session, Fifty-first Legislature, to the extent of conflict with this Act and all other laws or parts of laws in conflict; and declaring an emergency."

H. C. R. No. 101, Suspending the joint rules of both Houses so that House Bill No. 25 may be considered by the House at any time.

H. C. R. No. 90, Granting R. W. Spears permission to bring suit against the State of Texas and the Texas Highway Department in the court of competent jurisdiction in Wilbarger County in order to determine what damages, if any, and what compensation, if any, he is entitled to receive as the result of the manner and method of constructing a farm-to-market road between Odell, Texas, and Chillicothe, Texas, and providing either of the parties of said suit shall have the right of appeal.

H. C. R. No. 89, Granting I. F. Rob-

inson and Miss Cora Robinson permission to sue the State.

H. C. R. No. 87, Granting Zedric Moore permission to sue the State of Texas and the Livestock Sanitary Commission.

H. C. R. No. 96, To suspend the Joint Rules so that the House may take up and consider House Bill No. 315 at any time.

H. C. R. No. 78, To suspend rules and bring up H. B. No. 141 at any time.

H. C. R. No. 99, Suspending the Joint Rules to grant permission to the House to take up and consider at any time House Bill No. 907.

H. C. R. No. 91, Suspending the Joint Rules to grant permission to the House to take up and consider House Bill No. 509.

Respectfully submitted,
CLARENCE, JONES,
Chief Clerk, House of Representatives.

Senate Bill 346 on First Reading

Senator Latimer moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—29

Aikin	McDonald
Ashley	Moffett
Bell	Moore
Bracewell	Parkhouse
Colson	Phillips
Corbin	Rogers of Travis
Fuller	Rutherford
Hardeman	Sadler
Hazlewood	Secrest
Kazen	Shireman
Kelley	Strauss
Lane	Wagonseller
Latimer	Weinert
Lock	Willis
Martin	

Absent

Rogers	Russell
of Childress	

The following bill was then introduced, read first time and referred to the committee indicated:

By Senator Latimer:

S. B. No. 346, A bill to be entitled "An Act amending Chapter 247, General Laws of the 43rd Legislature, Regular Session, 1933, as amended, by adding Section 15a to provide for the appointment of a probation and parole officer, if such an officer has not been assigned to a court and/or district in Bexar County as provided by Chapter 452, Acts of the 50th Legislature, 1947; etc."

To the Committee on Counties and County Boundaries.

Senate Bill 347 on First Reading

Senator Rogers of Travis moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—29

Aikin	McDonald
Ashley	Moffett
Bell	Moore
Bracewell	Parkhouse
Colson	Phillips
Corbin	Rogers of Travis
Fuller	Rutherford
Hardeman	Sadler
Hazlewood	Secrest
Kazen	Shireman
Kelley	Strauss
Lane	Wagon seller
Latimer	Weinert
Lock	Willis
Martin	

Absent

Rogers	Russell
of Childress	

The following bill was then introduced, read first time and referred to the committee indicated:

By Senator Rogers of Travis:

S. B. No. 347, A bill to be entitled "An Act authorizing the Governor on behalf of the State of Texas, to execute the South Central Interstate Forest Fire Protection Compact; prescribing the text of said compact; providing an effective date for said compact; etc.; and declaring an emergency."

To the Committee on Counties and County Boundaries.

Senate Bill 348 on First Reading

Senator Shireman moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—30

Aikin	McDonald
Ashley	Moffett
Bell	Moore
Bracewell	Parkhouse
Colson	Phillips
Corbin	Rogers of Travis
Fuller	Russell
Hardeman	Rutherford
Hazlewood	Sadler
Kazen	Secrest
Kelley	Shireman
Lane	Strauss
Latimer	Wagon seller
Lock	Weinert
Martin	Willis

Absent

Rogers
of Childress

The following bill was then introduced, read first time and referred to the committee indicated:

By Senator Shireman:

S. B. No. 348, A bill to be entitled "An Act granting to Willacy County Navigation District certain additional powers and authority; validating said District and bonds heretofore issued by it; containing a saving clause; and declaring an emergency."

To the Committee on Water Rights, Irrigation and Drainage.

Senate Resolution 270

Senator Willis offered the following resolution:

Whereas, We were honored May 7, 1953, to have in the gallery the 7th and 8th grades of Our Lady of Victory Academy of Fort Worth, Texas, accompanied by Sisters Immaculate and Marie Magdalene and Mr. W. H. Phillips, B. J. Haubert, and Miss Margaret Hosty; and

Whereas, These students and guests were on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine class of young

American citizens was here to observe and learn firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize this fine class and commend them for their interest, and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to each in recognition of their visit.

The resolution was read and was adopted.

Senate Bill 120 with House Amendments

Senator Bell called S. B. No. 120 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Bell moved that the Senate concur in the House amendments.

The motion prevailed by the following vote:

Yeas—28

Aikin	McDonald
Ashley	Moffett
Bell	Moore
Bracewell	Phillips
Colson	Rogers of Travis
Corbin	Russell
Fuller	Rutherford
Hardeman	Sadler
Hazlewood	Secrest
Kazen	Shireman
Lane	Strauss
Latimer	Wagonseller
Lock	Weinert
Martin	Willis

Absent

Kelley	Rogers
Parkhouse	of Childress

Senate Bill 59 with House Amendments

Senator Ashley called S. B. No. 59 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Ashley moved that the Senate concur in the House amendments.

The motion prevailed.

**Committee Substitute
Senate Bill 67 on Second Reading**

On motion of Senator Weinert and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C. S. S. B. No. 67, A bill to be entitled "An Act to establish and adopt a probate code for the State of Texas by revising and rearranging the statutes of this State which pertain to descent and distribution, wills, administration of decedents' estates, actions to declare heirship, guardianship, and other probate matters; and by making various changes in, omissions from, and additions to, such statutes; fixing the effective date of the code; providing for the application of the code; repealing certain statutes and all laws or parts of laws in conflict with the code; containing a severability clause; and declaring an emergency."

The bill was read the second time.

Senator Weinert offered the following amendment to the bill:

Amend S. B. No. 67 by striking out the words "its passage" where the same appear in line 24 and page 106, and inserting in lieu thereof the words "June 1, 1954."

The amendment was adopted.

Senator Weinert offered the following amendment to the bill:

Amend S. B. No. 67 by striking out the word "January" where the same appears in line 21 on page 1, and inserting in lieu thereof the word "June."

The amendment was adopted.

The bill, as amended, was passed to engrossment.

Record of Vote

Senator Willis asked to be recorded as voting "nay" on the passage of S. B. No. 67 to engrossment.

**Committee Substitute
Senate Bill 67 on Third Reading**

Senator Weinert moved that the

Constitutional rule requiring bills to be read on three several days be suspended and that C. S. S. B. No. 67 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Fuller	of Childress
Hardeman	Rogers of Travis
Hazlewood	Russell
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	

Nays—1

Willis

Absent

Corbin

Rutherford

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Record of Vote

Senator Willis asked to be recorded as voting "nay" on final passage of S. B. No. 67.

Reason for Vote

It is a dangerous thing to attempt to rewrite all of the laws on any subject. No matter how apparently plain the language used in any new law, one can never be absolutely certain as to the meaning of the various provisions until they have been construed by the Appellate Courts. I do not believe the members of the 53rd Legislature will live long enough for the Courts to construe all of the provisions of Senate Bill No. 67.

In my opinion no attempt should be made to rewrite all of the laws on any subject unless the existing laws as a whole are bad. My reason for saying this is that if the existing laws

have been in effect for a number of years we know the construction that the Courts have already given to them. I do not believe that this Legislature can successfully contend that all of our present probate laws are bad. If there are imperfections in our present laws relating to probate matters, and there are, then in my opinion only the imperfections should be remedied by the Legislature, and no attempt should be made to completely rewrite all of the laws.

It seems to me that there are some eager beavers in our profession who would like to rewrite all of the laws that have heretofore been enacted. Of course, no law is perfect, but I would rather have an imperfect law that has been construed by the Courts than an apparently perfect law that has not been construed. You will remember that in 1940 new Rules of Civil Procedure were adopted. These new rules were enacted for the purpose of simplifying matters in the trial and appeal of civil cases. Lawyers have disagreed as to the meaning of many of these new rules, and now, thirteen years later, you will find in every advance sheet decisions construing these rules which were adopted for the purpose of simplifying matters. Take the Relinquishment Act that was passed in 1919 relating to the sale and leasing of oil and gas under mineral classified lands. It was finally construed by the Supreme Court some thirteen years later, and I venture to say that not one lawyer out of a hundred in Texas had given it the same construction that was given to it by the Supreme Court.

My eight years in the Texas Legislature has taught me the dangers and uncertainties involved when an attempt is made to completely rewrite a law covering any subject. If all of the laws relating to a particular subject could be so rewritten as to be perfect and not call for a construction of any of its provisions by our Appellate Courts, then I would be in favor of the rewriting and revision of the laws relating to a number of things; but it is an impossibility to write a perfect law. The Revised Civil Rules adopted in 1940 were considered perfect. Yet many and numerous amendments since that date have been made for the purpose of correcting the imperfections therein. It is for these reasons that I vote against Senate Bill No. 67.

DOYLE WILLIS

**Senate Bill 124 With
House Amendments**

Senator Fuller called S. B. No. 124 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Fuller moved that the Senate concur in the House amendments.

The motion prevailed by the following vote:

Yeas—28

Aikin	McDonald
Ashley	Moffett
Bell	Moore
Bracewell	Parkhouse
Colson	Phillips
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Sadler
Kazen	Secrest
Kelley	Shireman
Lane	Strauss
Latimer	Wagonseller
Lock	Weinert
Martin	Willis

Absent

Corbin	Rutherford
Rogers of Childress	

**Senate Bill 184 With
House Amendments**

Senator Latimer called S. B. No. 184 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Latimer moved that the Senate do not concur in the House amendments, but that a conference committee be appointed to adjust the differences between the two Houses on the bill.

The motion prevailed.

Accordingly, the President announced the appointment of the following conferees on the part of the Senate on the bill:

Senators Latimer, Phillips, Bell, McDonald, and Willis.

House Bill 848 Ordered Not Printed

On motion of Senator Phillips, and by unanimous consent of the Senate, H. B. No. 848 was ordered not printed.

House Bill 874 Ordered Not Printed

On motion of Senator Ashley, and by unanimous consent of the Senate, H. B. No. 874 was ordered not printed.

House Bill 163 Re-referred

On motion of Senator Secrest, and by unanimous consent of the Senate, H. B. No. 163 was withdrawn from the Committee on State Affairs and re-referred to the Committee on Finance.

**Conference Committee Report on
House Bill 79**

Senator Shireman submitted the following Conference Committee report on H. B. No. 79:

Austin, Texas,
May 6, 1953.

Hon. Reuben Senterfitt, Speaker of the House of Representatives.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on H. B. No. 79, have met and had same under consideration, and beg to report it back with the recommendation that it do pass in the form attached.

SHIREMAN
KELLEY
LATIMER
SADLER
HARDEMAN

On the part of the Senate.

HALE
SMITH of Tarrant
LEE
SANDERS
JOSEPH

On the part of the House.

H. B. No. 79, A bill to be entitled "An Act amending the Acts of 1935, 44th Leg., Reg. Sess., pg. 304, Chap. 116, Secs. 1 to 25 inclusive, as amended by the Acts of 1935, 44th Leg., Second Called Sess., pg. 1846, Chap. 469, as amended by the Acts of 1943, 48th Leg., Reg. Sess., pg. 639, Chap. 365, as amended by the Acts of 1947, 50th Leg., Reg. Sess., pg. 623, Chap. 333, otherwise known as Art. 734b, Vernon's Annotated Penal Code; provid-

ing for the establishment and continuance of the State Board of Hairdressers and Cosmetologists as presently constituted, and defining the duties and powers of such board; providing for the organization of said board, and employment of certain employees; defining the practice of hairdressing and cosmetology and other terms and definitions; providing for a license for those desiring to engage in the practice of hairdressing and cosmetology or any phases thereof; providing for the qualifications and manner of obtaining such license; providing for examinations to obtain such license; providing for certain requirements before taking the examination provided for, and providing the grounds and manner of denying, refusing to renew, suspending or revoking a license; providing for requirements for the granting of licenses in certain cases; providing for obtaining licenses to operate and maintain a beauty culture school, and certain other requirements thereof; providing for the number of instructors, course of study, time of completion of such course, and prescribing the qualifications for students and instructors and for certain fees therefor; providing for the licensing of instructors in beauty culture schools; providing for the issuance and expiration of the period of licenses issued and for the filing of applications for renewal of licenses and for late filing; providing for renewal fees for conducting beauty shops and the fees therefor; prohibiting the establishment of itinerant shops; providing for the adoption of sanitary rules under certain conditions; prescribing the qualifications of inspectors and other employees of the board and their duties; providing the grounds for refusal to issue or renew, suspension or revocation of licenses; providing for judicial determination before revocation or suspension of license; providing for board hearings to determine whether a license may be refused, suspended or revoked; providing that the board shall be represented by the District Attorney, County Attorney, the Attorney General of Texas or private council under certain conditions; providing for the appeal from orders of the board and for a trial de novo in the district court; providing for emergency services and exempting certain persons from the provisions thereof; providing for the disposition of funds collected; providing for the refund of monies under cer-

tain conditions; prohibiting the employment of certain persons known to be suffering from infectious or contagious diseases; prescribing certain offenses which shall constitute misdemeanors; providing for the punishment for wilful making of any false statement; providing for the repeal of laws in conflict herewith; providing that any unconstitutional provisions shall not affect any other provisions, and declaring an emergency."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

"Section 1. That Acts of 1935, 44th Legislature, Regular Session, page 304, Chapter 116, Sections 1 to 25 inclusive, as amended by Acts of 1935, 44th Legislature, Second Called Session, page 1846, Chapter 469, as amended by Acts of 1943, 48th Legislature, Regular Session, page 639, Chapter 365, as amended by Acts of 1947, 50th Legislature, Regular Session, page 623, Chapter 333, otherwise known as Article 734b, Vernon's Annotated Penal Code, be, and the same are hereby amended to hereafter read as follows:

'Section 1 (a). The State Board of Hairdressers and Cosmetologists shall be composed of three (3) members to be appointed by the Governor, by and with the advice and consent of the Senate of Texas; the members shall be at least twenty-five (25) years of age each and each shall have had at least five (5) years practical experience in the majority of the practices of hairdressing and cosmetology in Texas as a hairdresser and cosmetologist or instructor under a license issued by the Board, and shall be a citizen of this State. No member of the Board shall be a member of, or affiliated with, or shall have any financial interest in any such school of hairdressing and cosmetology while in office, nor shall any two (2) members of said Board be graduates of the same school. If it be proved to the Governor of Texas by reliable and satisfactory evidence that any member of such Board is affiliated with or has any financial interest in any such school, then the Governor, immediately, shall declare the office vacant.

(b) Each member of said Board shall serve a term of six (6) years, or until his or her successor is appointed and qualified. The present members of the Board shall serve until their respective terms expire and one member shall be appointed bien-

nially thereafter. The members of said Board shall take the oath provided by the law for public officials. Vacancies occurring in the Board shall be filled by appointment of the Governor by and with the advice and consent of the Senate of Texas, for the unexpired term.

(c) The Board shall proceed to organize with the election of a President, Vice President and Secretary from its membership, and shall organize the work of the Board as may seem proper. The Board shall have the authority to promulgate such reasonable rules and regulations, as it deems proper, for the efficient administration of this Act, provided, however, that before such rules and regulations become effective they shall be approved, in writing, by the Attorney General of Texas as to their validity and a copy of any and all rules and regulations so promulgated, together with the written approval of the Attorney General shall be filed in the office of the Secretary of State for public inspection thereof. Any changes or amendments to any and all rules and regulations as may be promulgated by the Board shall, before they become effective, likewise be approved in writing by the Attorney General and be filed in the office of the Secretary of State for public inspection.

(d) The Board shall employ an Executive Secretary who shall not be a member of the Board. The compensation and necessary expenses of such Executive Secretary shall be provided by law. Such Executive Secretary, before entering upon the duties of the office, shall give a good and sufficient bond executed by a surety company authorized to do business in the State of Texas, in the sum of Ten Thousand (\$10,000.00) Dollars, payable to the State of Texas, conditioned for the faithful performance of his or her duties, such bond to be approved by the Attorney General and filed in the office of the Secretary of State. The bond premium shall be paid by the Board, as provided by law.

(e) The State Treasurer of the State of Texas is hereby designated as custodian of all revenues derived under the provisions of this Act, and all such funds shall be credited by the State Treasurer to the "State Board of Cosmetologists Fund," to be withdrawn upon vouchers signed by the President and Secretary of the Board and countersigned by the Comptroller of Public Accounts.

(f) The members of the Board shall each receive a salary of \$4620.00 Dollars per year, payable in equal monthly payments, together with actual expenses incurred in the performance of their official duties, as may be provided by law, and, providing such expenses shall be allowed only if and when audited and approved by the Comptroller of Public Accounts. The salaries of the Board members, of the Executive Secretary, as well as all other expenses incidental to the official discharge of their duties, shall be allowed as provided by law in the general departmental appropriation bill. Not more than One Hundred (\$100.00) Dollars shall be authorized to defray the expenses of any member or members of the Board in attending any State conventions of beauty culturists and not more than Two Hundred (\$200.00) Dollars shall be authorized to defray the expenses of any member or members of the Board in attending any conventions or meetings of beauty culturists outside the State of Texas; providing, that approval of the Attorney General shall be first had and obtained in writing, before any monies shall be expended for expenses incurred on any trip outside the State. Such expenses shall be paid out of the funds in the State Treasury to the credit of the Board of Cosmetology on a voucher or vouchers signed by the President and Secretary of the Board and countersigned by the Comptroller of Public Accounts. The members of the Board shall devote full time to the duties required by law.

(g) The said Board shall keep a record of its proceedings. It shall keep a register of applicants for certificates showing the name of the applicant, the name and location of his place of business, and whether the applicant was granted or refused a certificate. The books and records of the Board shall be prima facie evidence of the matters therein contained and shall constitute public records and may be inspected during regular office hours.

Section 2. (a) The term 'Board' as used in this Act shall mean the 'Texas State Board of Hairdressers and Cosmetologists.'

(b) The practice of hairdressing and cosmetology, as used herein, shall mean the use, by any person for a fee or other pecuniary compensation, of cosmetological preparations, antiseptics, tonics, lotions or creams, en-

gaging in or performing any one or a combination of the following matters, either with the hands or with mechanical or electrical apparatus or appliances, to-wit, cleansing, beautifying or performing any work on the scalp, face, neck, arms, bust or upper part of the body or manicuring the nails of any person, or in arranging, dressing, curling, waving, cleansing, cutting, singeing, bleaching, coloring or similar work upon the hair of any person by any means.

(c) Any person using cosmetological preparations, antiseptics, tonics, lotions or creams engaging in or performing any one or a combination of the following practices, either with the hands or with mechanical or electrical apparatus or appliances, for a fee or other pecuniary compensation, namely, cleansing, beautifying or performing any work on the scalp, face, neck, arms, bust or upper part of the body or manicuring the nails of any person or in arranging, dressing, curling, waving, cleansing, cutting, singeing, bleaching, coloring or similar work upon the hair of any person by any means shall be deemed to be practicing cosmetology and hairdressing.

(d) Any person who engages in or performs only the practice of manicuring the nails of any person shall be known as a manicurist.

(e) Any person, firm, association or corporation, who shall hold himself or itself out as a school to teach and train, or who shall teach and train any other person or persons in the art, business or trade of hairdressing and cosmetology, or manicuring, as provided in this Act, is hereby declared to be a beauty culture school, and is subject to the provisions and restrictions contained in this Act.

(f) An operator is any person who engages in or performs any of the practices of hairdressing and cosmetology, as defined in this Act.

(g) An instructor is any person engaged in teaching any of the practices of the occupation of hairdresser and cosmetologist or manicurist as defined herein.

(h) A hairdressing and cosmetological shop is that part of any building where or in which hairdressing and cosmetology, as defined in this Act, is performed or practiced. For the purpose of this Act, a hairdressing and cosmetological shop shall be synonymous with beauty parlor, beauty shop, beauty salon or studio of beauty.

(i) A student is defined to be any person who is attending or being taught in a licensed beauty culture school as defined in this Act.

Section 3. It shall be unlawful for any person, firm or association or corporation to practice, or engage in, the occupation of hairdresser and cosmetologist, or manicurist, or to operate a beauty culture school or serve as an instructor therein, or to perform any of the operations of such occupations, or to conduct a hair dressing and cosmetological shop or beauty culture school unless such person, firm, association or corporation first shall have obtained and have in his or its possession a valid temporary permit or license from the State Board of Hairdressers and Cosmetologists to engage in and perform such operations and occupations; and it shall be unlawful for the owner or manager of any hairdressing and cosmetological shop to employ any person as a hairdresser and cosmetologist or manicurist, who has not first obtained a license from the Board as provided for herein; and it shall be unlawful for any person, firm, association, or corporation to operate a beauty shop within this State unless such shop is, at all times, under the direct supervision of an operator licensed under this Act; and it shall be unlawful for any person, firm, association or corporation to operate a beauty culture school within this State unless such school is, at all times, under the direct supervision of an instructor licensed by the Board for such purposes.

Section 4. (a) The Board shall hold regular meetings for the examination of applicants in Austin, Texas, beginning on the first Tuesday in May, and on the first Tuesday in August and November during the calendar year of 1953, and on and after January 1, 1954, it shall hold regular meetings for the examination of applicants on the first Tuesday of each month thereafter, provided that if such Tuesday shall be a legal holiday, such examination shall be held on the following day. Applicants for license to engage in the occupation of hairdresser and cosmetologist, or manicurist, shall be required to satisfactorily pass an examination given by the Board at its meetings above provided for. The application for examination shall be accompanied by the following, and shall be filed at least ten (10) days prior to such examination:

(1) Birth Certificate, or other evidence suitable to the Board, showing that the applicant is sixteen (16) years of age or over;

(2) Evidence that such applicant is a graduate of a beauty culture school which has been licensed by the Board and has completed the hours and months of instruction in a licensed beauty culture school or schools required by this Act, or evidence that such applicant holds either a current or expired license of this State or any other State having requirements similar to the provisions of this Act, all school hours shall count up to the time of the examination;

(3) A certificate of health issued and personally signed by a licensed doctor of medicine showing the applicant to be free from any contagious or infectious disease as determined by an examination, which shall include a Wassermann blood test, no public vocational cosmetology student shall be required to present more than two (2) doctor's health certificates and Wassermann blood tests during completion of the course, provided attendance is continuous except for summer vacation;

(4) Cashier's check or Post Office Money Order in the amount of Ten (\$10.00) Dollars payable to the Board.

(b) The examination given applicants for license to engage in the practice of hairdressing and cosmetology, or manicuring, shall be conducted under rules and regulations promulgated by the Board as hereinabove provided, and shall be conducted in the English language in such manner as to be entirely fair and impartial, in every respect, to all individuals and to every school or system of practice, and shall include practical demonstrations as well as written and oral tests relating to the practice of hairdressing and cosmetology, or manicuring, and in such related subjects as are standard curricula of beauty culture schools which have been licensed by the Board.

The Board is hereby authorized to prescribe the minimum curricula of the subjects and procedures to be taught by beauty culture schools licensed hereunder.

If an applicant passes such examination to the satisfaction of the Board and in accordance with the rules previously promulgated by the Board and which rules have been approved, in

writing, by the Attorney General of Texas, as to their validity, and filed in the office of the Secretary of State for public inspection, the Board shall issue a certificate or license to such person so passing the examination, which certificate or license shall be issued under the official seal of the Board and signed by each member of the Board. Such certificate or license so issued shall entitle the licensee or holder of such certificate to engage in the art, business or trade of hairdressing and cosmetology, or manicuring, as defined herein as the case may be. Such certificate or license or any renewal thereof, shall be conspicuously displayed in the place of business or employment of the licensee. Such certificate or license shall, at all times, include a picture of the applicant in such size and finish as may be prescribed by the Board by regulation, promulgated as herein provided for the promulgation of rules and regulations.

(c) The Board may refuse to grant a license to any applicant taking such examination who shall fail to make an average grade of 75 in all subjects upon which such applicant is examined or to any person guilty of fraud, as determined by the Board, in passing such examination.

(d) The Board shall not issue or renew a license to any hairdresser and cosmetologist, manicurist or instructor whose health certificate shows him or her to be infected with any contagious or infectious disease; provided, however, that if said health certificate shows said hairdresser and cosmetologist, manicurist or instructor to be free from any contagious or infectious disease, and otherwise eligible for a license, such license shall be immediately issued.

(e) Any doctor of medicine who shall issue or sign the health certificate of any applicant for an examination for a license hereunder or the health certificate of any licensed hairdresser and cosmetologist, manicurist or instructor showing such person to be free from any contagious or infectious disease without having made a physical examination, including a Wassermann blood test, for the purpose of ascertaining the facts set forth in said certificate, shall be guilty of a misdemeanor and upon conviction thereof shall be fined not less than Fifty (\$50.00) Dollars nor more than Two Hundred (\$200.00)

Dollars. Such health certificate as required by this Act shall show the date of such examination.

(f) Any person coming within the provisions of this Act, at the effective date thereof, holding a valid certificate or license from the Board shall be exempt from the examination required by this section, but such person shall be required to pay the renewal fees to have such license renewed upon its expiration, as provided in this Act.

(g) Any person who holds a license issued by any State whose requirements for a license are equivalent to or exceed the requirements of the State of Texas, and which State recognizes the holder or holders of a license or licenses issued by this State for the issuance of a license in that State, and who furnishes the Board satisfactory proof thereof, may, upon application on forms prescribed by the Board, and approved as to form by the Attorney General, and upon the payment of a fee of twenty-five (\$25.00) dollars, be issued a license to practice hairdressing and cosmetology, or manicuring in this State, but such person shall be required to pay the annual renewal fees provided in this Act to have such license renewed upon its expiration, as provided in this Act; provided, however, that the Board shall not be required to approve any application and issue any licenses under subsection (g) of Section 4 of this Act, if in the opinion of the majority members of the Board it would be inimical to the public health, morals, safety and welfare.

Section 5. (a) Any person, firm, association or corporation applying to the Board for an original certificate of registration or license, as a school of beauty culture, shall make such application in the form prescribed by the Board, giving the data and information required by the Board. The Board shall, in such applications, require such data, information and facts as it deems necessary to determine such applicant's compliance with this Act and his or its fitness to conduct and maintain such school. No applicant for an original school license shall hereafter be granted an original certificate or registration or license unless it shall have a building approved by the Board, having therein a minimum floor space of not less than thirty-five hundred (3,500) square feet floor space in a modern fireproof building or permanent type

construction. Such space shall be divided into three (3) separate departments, viz.: a theory classroom, a room for practical work for seniors, and a room for practical work for juniors, and shall have not less than two (2) modern, sanitary toilets in separate rooms where there are male and female students, and shall possess and have installed the minimum equipment and apparatus required by the Board, sufficient to properly train and fully instruct a minimum of fifty (50) students at one time in all subjects of its curriculum; and such schools shall thereafter maintain the premises and minimum equipment and apparatus; and such applicants shall furnish a good and sufficient surety bond payable to the State of Texas, conditioned to refund any unused portion of tuition paid if such school closes or ceases operation before courses of instruction have been completed. Provided, however, that the requirements as to floor space, type of building, bond requirement and number of licensed instructors shall not apply to Public Vocational Schools.

(b) No school of beauty culture shall be granted a license or certificate of registration unless it shall maintain a sanitary establishment and employ and maintain on its staff not less than two full-time instructors who have been duly licensed as instructors by the Texas State Board, and shall keep a daily record of attendance of students, and shall maintain a regular class and regular instruction hours, establish grades and hold examinations before issuing diplomas, and shall require a school term of not less than six (6) months, and not less than one thousand (1,000) hours of instruction for a complete course of the practice of hairdressing and cosmetology, and shall require a school term of not less than six (6) weeks, and not less than one hundred fifty (150) hours instruction for a complete course in manicuring; and no student shall work or be instructed or receive credit for more than eight (8) hours of instruction in any one (1) day, exclusive of the lunch period, or for more than six (6) days in any one calendar week, and no public high school student shall be instructed or receive credit for more than six (6) hours of instruction in any one (1) day, exclusive of the lunch period, or for more than five (5) days in any one calendar week.

(c) No school shall enroll any per-

son as a student who has not acquired a seventh grade education or its equivalent; nor any person who is afflicted with any infectious or contagious disease, provided, however, that all examinations by the Board shall be conducted in the English language.

(d) All applicants for a teacher's license shall have had at least three (3) years experience as an operator under a license from the Texas State Board, shall have a current operator's license at the time of applying, shall have a high school education or its equivalent, and shall be required to pass an examination conducted by the Board to determine their fitness as teachers. Provided, that the requirement of three (3) years' experience as a licensed operator can have substituted for it at least two thousand (2,000) hours of instructions in a beauty school licensed by the State of Texas, and provided further, that at the time of applying for the additional one thousand (1,000) hours leading toward an instructor's license, said applicant will not be required to hold an operator's license or take the test for an operator's license, and further provided that the Board shall have authority to establish the curriculum and requirement of said additional instruction. A licensed instructor from another State is eligible to take such instructor examination and after having successfully passed the examination herein provided for an instructor, and upon presentation of his or her instructor's license from his or her respective State, then such out-of-State licensee shall be issued a Texas instructor's license.

(e) No school shall be permitted to charge for work done by any student who has not completed fifty (50%) per cent of the required number of hours, as provided for in Section 5, Subsection (b); and no school shall be permitted to charge for work done by licensed instructors.

(f) Schools and shops shall not be conducted in the same quarters or upon the same premises unless they are separated by walls of permanent construction with no openings in them, and no school shall employ any licensed operator to perform the services of a hairdresser and cosmetologist, or manicurist, as defined in this Act. This section shall apply to schools and shops only in the same quarters or upon the same premises.

Section 6. Each applicant, to conduct a beauty shop or beauty parlor,

as defined in this Act, shall accompany such application with a cashier's check or post office money order for Ten (\$10.00) Dollars, and the certificate issued such applicant shall entitle the person or persons to operate such shop or beauty parlor and no person, firm, association or corporation holding a license to conduct a beauty parlor or beauty shop under this Act shall permit any of the operations of hairdressing and cosmetology or manicuring to be performed in such shop by any person or persons unless such person or persons is, or are, the holder, or holders, of a license from the Board authorizing him or her to perform such operation.

Section 7. No person shall be allowed to act as an instructor in a beauty culture school unless such person has been granted a license by the Board to act as an instructor in such a school. All applicants for an instructor's license shall furnish the Board with all information requested by the Board, comply with all of the requirements of the provisions of Section 5 (d) of this Act, and comply with all of the requirements required of an applicant for an operator's license.

Section 8. (a) No certificate or license shall be issued for a longer period than one (1) year, and shall expire on the thirty-first (31st) day of August following the date of issuance. Applications for renewal may be filed at any time after June 1st preceding the expiration date of the license. A licensed beauty shop operator, instructor, operator or manicurist, whose license has expired may, within thirty (30) days thereafter, and not later, have his or her certificate or license renewed by making proper application to the Board, supported by his or her personal affidavit stating the reasons which, if due to illness or absence from the State, or which, in the opinion of the Board, shall excuse the applicant for having failed to renew his or her certificate within the time required by this Act. A reinstatement fee of Five (\$5.00) Dollars shall be required if the application for renewal is made during said 30-day period, but no examination or inspection of the beauty shop shall be required or made to obtain such renewal. Provided, however, where an instructor, operator, or manicurist retired from the active practice of hairdressing, cosmetology or manicuring, as defined in this Act, for not more than five (5) years, he or she may

have his or her license reinstated, without examination, under proper application to the Board, accompanied by each year's annual renewal fee; and provided, further, that such person shall furnish the Board with a health certificate as provided for under other provisions of this Act; and provided, further, that the Board may refuse to issue or renew such license for any of the causes set forth in this Act.

(b) The annual fee for renewal of license for conducting a beauty shop or beauty parlor, as defined herein, shall be the sum of Five (\$5.00) Dollars, but no inspection for renewal shall be made or required as the basis therefor; and the annual fee for renewal of license for operators to engage in the trade or practice of hairdressing and cosmetology shall be the sum of Three (\$3.00) Dollars; and the annual renewal fee for a manicurist shall be Two and 50/100 (\$2.50) Dollars; and the annual renewal fee for an instructor shall be Ten (\$10.00) Dollars; and the annual renewal fee to conduct a beauty culture school shall be One Hundred (\$100.00) Dollars.

(c) The establishment of itinerant shops is hereby expressly prohibited, and it shall be unlawful for any person, firm, association or corporation to operate a beauty shop as defined in this Act, unless the same is a bona fide establishment with a permanent and definite location. Any license granted under the terms of this Act shall permit the licensee to practice in only such bona fide established beauty shop; provided, however, that nothing in this Act shall prohibit the removal or change of location of a beauty shop. Provided, further, that nothing in this Act shall prohibit the establishment of chain beauty shops which have definite and permanent locations and have complied with all the other terms of this law.

Section 9. (a) The said Board shall, with the approval of the State Board of Health and in compliance with the sanitary provisions contained in Articles 728-734 of the Penal Code of the State of Texas, prescribe such sanitary rules, as it may determine necessary, and approved in writing by the Attorney General as to their validity and filed in the office of the Secretary of State of Texas for public inspection before same shall be effective, to be employed to prevent the spread of infectious and conta-

gious disease. Any person who fails to comply with such sanitary rules shall be subject to the penalties provided for in this Act. It shall be unlawful for a person, firm, association or corporation to operate a beauty shop or a beauty school, as defined in this Act, unless the same is a bona fide establishment with a permanent and definite location completely and permanently separated by solid walls, with no openings from rooms used wholly or in part for residential or sleeping purposes. Provided, a person may have a shop in his or her home where the requirements, provisions, and sanitary rules of this Act are complied with.

(b) The salaries and number of clerical help and inspectors for the purpose of enforcing compliance with this Act shall be provided by law. Provided, however, that all the expense of such help and inspectors shall be paid out of the funds derived from the fees provided for by this Act and not otherwise. And no salaries, compensation or expenses provided by any part of this Act shall, in any event, exceed the salaries, compensation or expenses allowed for like service in the Comptroller's Department by the general appropriation bill.

(c) No person shall be employed by the Board as an inspector unless such person is at least twenty-five (25) years of age, and has had at least five (5) years actual experience as a hairdresser and cosmetologist or as an instructor under a license issued by the Board, and who shall be a citizen of this State.

(d) The said Board, or any duly appointed agent, shall have authority to inspect any beauty shop, beauty parlor, or beauty culture school at any time during normal business or school hours and in such manner as not to interfere with the conduct or operation of the business or school.

Section 10. The Board may refuse to issue or to renew or may suspend or revoke any license issued in accordance with the provisions of this Act for the following reasons:

(a) Conviction of a licensee of any felony involving moral turpitude under the laws of this State or of any other State or of the United States of America as shown by a certified copy of the judgment of conviction;

(b) Conviction by a court of competent jurisdiction of a licensee for the violation of any provision of this Act;

(c) Conviction of any misdemeanor involving immoral conduct;

(d) Knowingly making false or misleading statements in any advertising of the licensee's services;

(e) Advertising, practicing, or attempting to practice under the name or trade name of another licensee under this Act;

(f) Habitual drunkenness of a licensee or his or her addiction to the use of any narcotic drug;

(g) Practicing hairdressing or cosmetology outside of a beauty shop except as provided by Section 12 of this Act.

Section 11. (a) The Board shall neither refuse to renew, nor shall it suspend nor revoke any certificate of registration, for any of the causes enumerated in this Act, except for failure of applicant to furnish the Board with a health certificate and Wassermann test, as required by the provisions of this Act, showing such applicant or licensee to be free from contagious or infectious disease as determined by a general examination and such test, unless the person accused has been convicted of violation of the provisions of this Act in a court of competent jurisdiction; however, upon any such conviction, the Board may suspend or revoke any such certificate of license or registration after giving the person so convicted at least twenty (20) days written notice of time and place of hearing before the Board for such purpose. Upon the hearing of such proceeding the accused shall have the power to summon witnesses and to require the production of books and records, and to prepare for the purpose of such hearing, and to administer oaths. Any District Court or any Judge of such court in this State, in term time or in vacation, upon application by the accused or of the Board or a member thereof, may, by order duly entered, require the attendance of witnesses and the production of relevant books and papers before the Board, in any hearing relating to the refusal, suspension, renewal or revocation, or issuing of a certificate of registration, and may order the sheriff or any other peace officers of the county wherein said order is made and entered to serve such process as may be issued in order to compel the attendance of witnesses before said Board, for which services so rendered by such officer or officers the fees and mileage

of the sheriff and of witnesses shall be the same as allowed in criminal cases and shall be paid from the fund of the Board as herein provided for, as other expenses of the Board are paid. However, the officers shall make claim for fees as in criminal cases and be paid upon warrant drawn by the Comptroller as in criminal cases. If the accused shall prevail at such hearing, the Board shall grant him the proper relief without delay. Any investigation, inquiry, or hearing thus authorized may be entertained or held by or before a majority of the members of the Board and the finding or order of such members, when approved and confirmed by the Board, shall be deemed a finding or order of the Board, and at such hearing the Board may be represented by the District Attorney or County Attorney, or the Attorney General of Texas.

(b) In such hearing, or other proceeding hereunder, the Board shall be represented by the Attorney General, District Attorney of the District, or the County Attorney of the County in which the hearing or other proceeding is conducted, or on their failure or refusal to act within a reasonable time, after requested so to do, the Board may employ private counsel to represent the Board, and reasonable compensation shall be paid such counsel from the funds herein provided for as any other expense; provided, however, such private counsel shall be employed only for the conduct of the pending matter, and the Board shall not be authorized hereby to place a private attorney upon an annual retainer or on a regular salary. If the Board suspends, revokes or refuses to issue or renew such license at said hearing, then such person may file suit to prevent same or to appeal from said order, and be entitled to a trial de novo, as such term is commonly used and intended in an appeal from the Justice Court to the County Court; and it is expressly provided that in such appeals on a trial de novo that the "substantial evidence rule" shall not apply, and which appeal shall be taken in any District Court of the County in which the person whose license is involved, resides. Any and all such suits filed hereunder shall be filed within twenty (20) days from the date of the order of said Board. Service of such order shall be by registered mail, with return receipt as evidence thereof. The venue in all suits instituted hereunder, civil or

criminal, shall be filed in the county of the residence of the person whose license is involved.

Section 12. Nothing in this Act shall prohibit service in case of emergency, or domestic administration, nor service by persons authorized under the laws of this state to practice medicine, surgery, dentistry, chiropody, osteopathy, or chiropractic; nor registered nurses; nor service by any licensed barber engaged in the usual and ordinary duties of their vocations; and nothing herein contained shall be construed to mean that a barber, working in a beauty shop in the capacity of a haircutter only, shall be subject to the provisions of this Act, provided, that any person who works in a beauty shop in the capacity of a haircutter shall be a licensed barber. And any person who works in a barber shop in the capacity of a manicurist as herein defined shall be licensed as a manicurist. Provided, further, that nothing in this Act shall prohibit a person licensed under this Act from performing duties as prescribed by this Act in the home of a customer in cases of emergency, when sent by a shop owner. Provided, further, that nothing in this Act shall, in any manner apply to, limit or prohibit the arranging, dressing, curling, waving, cleansing, singeing, bleaching, coloring of or any work upon the hair of a person when performed in a private home without charge of fee. Nothing in this Act shall be construed so as to prevent bona fide salesmen from demonstrating any preparations herein referred to.

Section 13. Disposition of funds. (a) Any and all sums of money paid into the State Treasury and credited to the State Board of Hairdressers and Cosmetology Fund shall be, and the same are hereby, appropriated for the fiscal years ending August 31, 1936, and for August 31, 1937, and each succeeding year thereafter to be expended under the direction of the Legislature as may be provided by law.

(b) On August 31 of each year the Board shall file with the State Comptroller its annual report in such form as may be required by the Comptroller.

(c) That ten (10%) per cent of all monies received by the Board shall be paid into the General Revenue Fund of the State of Texas at the end of each fiscal year.

(d) Nothing herein shall affect, impair, modify, amend, or change any funds credited to the State Board of Hairdressers and Cosmetology Fund at the effective date of this Act. All funds received by the said Board during the remainder of the biennium ending August 31, 1953, shall likewise be applied as provided by law prior to the effective date hereof, and especially as provided in the Departmental Appropriation Bill, Acts 1945, 49th Legislature, Chapter 378.

(e) It is hereby specifically provided that if for any reason an applicant pays money to the Board for application fees for license or any other fees provided for under this Article, and when such applicant fails to take the examination as required by this law, then the Board of Hairdressers and Cosmetologists is hereby authorized and directed to refund the amount of money paid by such applicant from the monies in the State Board of Hairdressers and Cosmetology Fund.

Section 14. It shall be unlawful for the owner, operator or manager of a beauty shop or beauty culture school to knowingly permit any person suffering from an infectious or contagious disease to act as an employee or operator or student within such beauty shop or beauty culture school. It shall be unlawful for any hairdresser, cosmetologist, manicurist or instructor, who, in his or her own knowledge, is suffering an infectious or contagious disease, to practice the operations of a hairdresser, cosmetologist, manicurist or instructor.

Section 15. That each of the following offenses shall constitute a misdemeanor punishable on conviction in a court of competent jurisdiction by a fine of not less than Twenty-five (\$25.00) Dollars nor more than One Hundred (\$100.00) Dollars:

(a) The violation of any of the provisions of this Act;

(b) Obtaining or attempting to obtain a license by false representation;

(c) The willful failure to display a license as required by this Act.

Section 16. That the willful making of any false statement as to material matter in any oath or affidavit which is required by the provisions of this Act to be made is false swearing and punishable as such under the laws of this State.

Section 17. This Act is cumulative of all other laws relating to hairdressing, cosmetology, manicuring,

beauty culture schools and instructors therein, and beauty shops. All laws or parts of laws in conflict herewith are hereby repealed.

Section 18. In case any one or more of the sections or provisions of this Act, or the application of such sections or provisions to any situation, circumstance or person, shall for any reason be held to be unconstitutional, such unconstitutionality shall not affect any other section or provision of this Act or the application of such section or provision to any other situation, circumstance or person, and it is intended that this law shall be construed and applied as if such invalid section or provisions had not been included herein.

Section 19. The fact that this legislation is designed to provide a more efficient and more equitable manner of regulating the practice of hair-dressing, cosmetology, manicuring, and the training therefor, which is immediately needed for the public benefit creates an emergency and an imperative public necessity that the constitutional ruling requiring bills to be read on three separate days in each House be suspended, and such ruling is hereby suspended, and that signing of the bill by the Governor, and it is so enacted.

The Conference Committee report was read and was adopted.

Local and Uncontested Bill Calendar

Senator Martin asked unanimous consent of the Senate to consider the Local and Uncontested Bill Calendar.

There was no objection offered.

Committee Substitute Senate Bill 271 on Second Reading

The President laid before the Senate on its second reading and passage to engrossment:

C. S. S. B. No. 271, A bill to be entitled "An Act permitting the closing of a hunting season in any county or counties where a fire hazard is found to exist; prescribing a manner to determine such a condition; repealing laws to extent of conflict; and declaring an emergency."

The bill was read second time.

Senator Lock offered the following amendment to the bill:

Amend Committee Substitute for

S. B. No. 271 by striking out the name of the county "Chambers" wherever it appears.

The amendment was adopted.

The bill, as amended, was passed to engrossment.

Committee Substitute Senate Bill 271 on Third Reading

Senator Lock moved that the constitutional rule requiring bills to be read on three several days be suspended and that C. S. S. B. No. 271 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

Senate Bill 272 on Second Reading

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 272, A bill to be entitled "An Act amending Article 1379, Penal Code of Texas, 1925, as amended, by Senate Bill No. 34, General Laws of the 46th Legislature, Regular Session, 1939, page 241, defining certain offenses relating to the cutting, destruction, or carrying away of merchantable timber and prescribing the penalty therefor; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 272 on Third Reading

Senator Lock moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 272 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagon seller
Martin	Weinert
McDonald	Willis

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Hardeman
Ashley	Hazlewood
Bell	Kazen
Bracewell	Kelley
Colson	Lane
Corbin	Latimer
Fuller	Lock

Martin	Russell
McDonald	Rutherford
Moffett	Sadler
Moore	Secrest
Parkhouse	Shireman
Phillips	Strauss
Rogers	Wagon seller
of Childress	Weinert
Rogers of Travis	Willis

(Senator Hardeman in the Chair.)

Committee Substitute
Senate Bill 325 on Second Reading

The presiding officer laid before the Senate on its second reading and passage to engrossment:

C. S. S. B. No. 325, A bill to be entitled "An Act amending House Bill No. 111, Acts of the 53rd Legislature, Regular Session, 1953 (General Appropriation Act), by adding a new section to Article V, authorizing the Texas Agricultural Experiment Station to purchase, maintain, and operate passenger vehicles; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Committee Substitute
Senate Bill 325 on Third Reading

Senator Moffett moved that the constitutional rule requiring bills to be read on three several days be suspended and that C.S.S.B. No. 325 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moffett
Ashley	Parkhouse
Bell	Phillips
Bracewell	Rogers
Colson	of Childress
Corbin	Rogers of Travis
Fuller	Russell
Hardeman	Rutherford
Hazlewood	Sadler
Kazen	Secrest
Kelley	Shireman
Lane	Strauss
Latimer	Wagon seller
Lock	Weinert
Martin	Willis
McDonald	

Nays—1

Moore

The presiding officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moffett
Ashley	Parkhouse
Bell	Phillips
Bracewell	Rogers
Colson	of Childress
Corbin	Rogers of Travis
Fuller	Russell
Hardeman	Rutherford
Hazlewood	Sadler
Kazen	Secrest
Kelley	Shireman
Lane	Strauss
Latimer	Wagonseller
Lock	Weinert
Martin	Willis
McDonald	

Nays—1

Moore

Senate Bill 153 on Second Reading

The presiding officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 153, A bill to be entitled "An Act to amend Article 2816 of the Revised Civil Statutes of 1925, changing the time requirements for the taking of the annual scholastic census and other supplemental census; etc., and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 153 on Third Reading

Senator Aikin moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 153 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Hazlewood
Ashley	Kazen
Bell	Kelley
Bracewell	Lane
Colson	Latimer
Corbin	Lock
Fuller	Martin
Hardeman	McDonald

Moffett	Rutherford
Moore	Sadler
Parkhouse	Secrest
Phillips	Shireman
Rogers	Strauss
of Childress	Wagonseller
Rogers of Travis	Weinert
Russell	Willis

The presiding officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

Senate Bill 198 on Second Reading

The presiding officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 198, A bill to be entitled "An Act amending Chapter 173, Acts of the 47th Legislature, 1941, as amended, by adding a new section to be known as Section 15a, authorizing the use of certain unexpended balances in the Operator's and Chauffeur's License Fund for constructing and equipping a physical plant for the Texas Department of Public Safety; making an appropriation; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 198 on Third Reading

Senator Aikin moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 198 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagon seller
Martin	Weinert
McDonald	Willis

The presiding officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagon seller
Martin	Weinert
McDonald	Willis

Senate Bill 151 on Second Reading

The presiding officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 151, A bill to be entitled "An Act amending Article 2671, Revised Civil Statutes of 1925, as amended by Senate Bill No. 113, Acts of 41st Legislature, R. S., 1929, Ch. 278, page 573, and as amended by Senate Bill No. 356, Acts of 46th Legislature, R. S., 1939, Ch. 8, page 276; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 151 on Third Reading

Senator Aikin moved that the con-

stitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 151 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagon seller
Martin	Weinert
McDonald	Willis

The presiding officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagon seller
Martin	Weinert
McDonald	Willis

Senate Bill 339 on Second Reading

The presiding officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 339, A bill to be entitled "An Act authorizing school districts having all or the major portion of their territory situated within counties of 650,000 inhabitants or more, according to the last preceding Federal census, to levy, assess and collect

a combined bond and maintenance tax not to exceed Two Dollars on the One Hundred Dollars valuation of taxable property therein, etc.; and declaring and emergency."

The bill was read the second time.

Senator Bracewell offered the following amendment to the bill:

Amend Senate Bill 339 by striking out the words and figures "six hundred and fifty thousand (650,000)" wherever they appear and substituting therefor the words and figures "seven hundred thousand (700,000)."

The amendment was adopted.

On motion of Senator Bracewell and by unanimous consent of the Senate the caption was amended to conform to the body of the bill, as amended.

The bill, as amended, was passed to engrossment.

Senate Bill 339 on Third Reading

Senator Bracewell moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 339 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The presiding officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Ashley
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Bell	Moore
Bracewell	Parkhouse
Colson	Phillips
Corbin	Rogers
Fuller	of Childress
Hardeman	Rogers of Travis
Hazlewood	Russell
Kazen	Rutherford
Kelley	Sadler
Lane	Secrest
Latimer	Shireman
Lock	Strauss
Martin	Wagonseller
McDonald	Weinert
Moffett	Willis

Senate Bill 338 on Second Reading

The presiding officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 338, A bill to be entitled "An Act providing that in all independent school districts, whether created under the General Laws or by Special Act of the Legislature, having One Hundred Thousand (100,000) or more scholastics according to the last preceding scholastic census, and wherein there is situated either wholly or in part a city having a population of Five Hundred Seventy-five Thousand (575,000) or more inhabitants, etc.; and declaring an emergency."

The bill was read the second time.

Senator Bracewell offered the following amendment to the bill:

Amend Senate Bill 338 by adding a new sentence at the end of Section 1 to read as follows: "within sixty (60) days after the first Monday in September of each year, the board shall cause all accounts of the board for the past year to be audited by a certified public accountant and shall publish the report of the findings of said accountant, as well as a statement prepared by the board, showing the financial condition of said board, and of each fund, with receipts and disbursements during the previous year, in some daily newspaper in the city of Houston, in the English language."

The amendment was adopted.

Senator Bracewell offered the following amendment to the bill:

Amend Senate Bill 338 by striking out the caption thereof and substituting therefor the following:

"An Act providing that in all inde-

pendent school districts, whether created under the General Laws or by Special Act of the Legislature, having One Hundred Thousand (100,000) or more scholastics according to the last preceding scholastic census, and wherein there is situated either wholly or in part a city having a population of Five Hundred Seventy-five Thousand (575,000) or more inhabitants according to the last preceding Federal census, it shall be the duty of the Business Manager under the direction of the Superintendent prior to the first Monday in August of each year to prepare a carefully classified estimate of receipts and expenditures for the ensuing scholastic year beginning on September first and ending on August thirty-first, and submit the same to the Board of Trustees of any such school district for its approval; and providing that within sixty (60) days after the first Monday in September the board shall cause accounts to be audited and published; repealing all laws and parts of laws, both General and Special, insofar only as they may be in conflict with the provisions of this Act, and declaring an emergency."

The amendment was adopted.

The bill, as amended, was passed to engrossment.

Senate Bill 338 on Third Reading

Senator Bracewell moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 338 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagon seller
Martin	Weinert
McDonald	Willis

The presiding officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagon seller
Martin	Weinert
McDonald	Willis

Senate Bill 252 on Second Reading

The presiding officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 252, A bill to be entitled "An Act providing that 'municipality' as used herein means any county; school district; incorporated district, city, town, or village; or other incorporated political subdivision of this State; authorizing any municipality, after notice and competitive bidding, to execute, under certain restrictions, oil, gas and mineral leases upon lands or minerals, or any interest therein, owned or claimed by such municipality, etc., and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 252 on Third Reading

Senator Sadler moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 252 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Colson
Ashley	Corbin
Bell	Fuller
Bracewell	Hardeman

Hazlewood	Rogers
Kazen	of Childress
Kelley	Rogers of Travis
Lane	Russell
Latimer	Rutherford
Lock	Sadler
Martin	Secrest
McDonald	Shireman
Moffett	Strauss
Moore	Wagonseller
Parkhouse	Weinert
Phillips	Willis

The presiding officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

Senate Bill 342 on Second Reading

The presiding officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 342, A bill to be entitled "An Act creating 'Refugio County Water and Improvement District Number One,' a Conservation and Reclamation District, as authorized by Section 59 of Article XVI of the Texas Constitution; . . . and declaring an emergency."

The bill was read the second time.

Senator Bell offered the following amendment to the bill:

Amend Senate Bill 342, Section 9, second sentence by adding after the phrase "or any interest therein" and before the word "necessary" the following: "within Refugio County only."

The amendment was adopted.

Senator Bell offered the following amendment to the bill:

Amend S. B. No. 342 by inserting between Sections 9 and 10a a new section numbered Section 9a reading as follows:

"Section 9a. In the event that the District, in the exercise of the power of eminent domain or power of relocation, or any other power granted hereunder, makes necessary the relocation, raising, rerouting or changing the grade of, or altering the construction of any highway, railroad, electric transmission line or pipeline, all of such necessary relocation, raising, rerouting, changing of grade or alteration of construction shall be accomplished at the sole expense of the District."

The amendment was adopted.

On motion of Senator Bell, and by unanimous consent of the Senate, the caption was worded to conform to the body of the bill as amended.

The bill, as amended, was passed to engrossment.

Senate Bill 342 on Third Reading

Senator Bell moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 342 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The presiding officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

Senate Bill 173 on Second Reading

The presiding officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 173, A bill to be entitled "An Act to amend House Bill No. 168, Chapter 352, Acts of the 50th Legislature, Regular Session, 1947, as amended; fixing the credit to be accorded under the Employees Retirement System for military and war service in time of war or national emergency and fixing a basis for calculation of same; providing for a severability clause; and declaring an emergency."

The bill was read the second time.

Senator Moore offered the following committee amendment to the bill:

Amend Senate Bill No. 173 by striking out all below the enacting clause and inserting in lieu thereof the following:

"Section 1. That Subsection H of Section 5 of House Bill No. 168, Chapter 352, Acts of the 50th Legislature, Regular Session, 1947, as amended, be and the same is hereby amended to read as follows:

"During the period of time the United States is in a state of declared war and for a period of twelve (12) months thereafter, and during the "present national emergency" as herein defined and for a period of twelve (12) months thereafter, time spent by a member of the Employees Retirement System in the Armed Forces of the United States and their

auxiliaries or in the Armed Forces Reserve and their auxiliaries on active duty, shall count towards membership service. The term present national emergency refers to the period of time beginning June 27, 1950, and ending on such date as shall be determined by Presidential proclamation or concurrent resolution of the Congress of the United States for purpose of defining a "basis service period" under Public Law 550, 82nd Congress, Second Session, Chapter 875. In addition, any member of the Employees Retirement System who enters military service shall be permitted to contribute each year during a declared war or present national emergency to the Retirement System a sum not to exceed the amount contributed by him to said Retirement System during the last year that he was employed as a member under the provisions of the Retirement Act. The funds so contributed shall be deposited to the credit of the member's individual account and shall be treated in the same manner as funds contributed by the member while he was employed by the State. Any employee of the State who entered military service prior to the establishment of the Retirement System, will be entitled to prior service credit for the time prior to the establishment of the System and membership service for the time subsequent to the establishment of the System. Any employee so absent shall have the right to contribute to said System either during his military service or upon return an amount equal to the contributions which would have been made by him based on his compensation earnable at commencement of his absence, provided that such payment made upon return can only be made if such employee re-enters the service of the State within sixty (60) days after termination of his military service and elects to become a member of the System within sixty (60) days after such employment. In computing the average prior service compensation for employees who served in the Armed Forces on leaves of absence from the State and subsequently become members of the System, that time spent in the Armed Forces shall be counted as part of the ten (10) years immediately preceding the enactment of the law and the basis for compensation shall be the same that was earned at commencement of his leave of absence from the State or the same as the rate of annual com-

pensation earned during the first year subsequent to his return to State employment, whichever is greater, but not to exceed three thousand six hundred dollars (\$3,600.00) per year.

"During the period of time from December 7, 1941, to August 14, 1945, and for a period of twelve (12) months thereafter, time spent in the Armed Forces of the United States and their auxiliaries or in the Armed Forces Reserve and their auxiliaries on active duty by any person who later became an employee of the State for five (5) consecutive years and who became a member of the Employees Retirement System within three (3) years after the System was created and remained a member of said system for five (5) consecutive years, shall count as prior service credit and such person shall be entitled to a prior service certificate for such service. Time so credited shall be in lieu of any other prior service credit for military service prior to the effective date of this Act. In computing the average prior service compensation for such persons who served in the Armed Forces between December 7, 1941, and August 14, 1945, and for a service of twelve (12) months thereafter and who later became an employee of the State for five (5) consecutive years and became a member of the Employees Retirement System and remained a member of said System for five (5) consecutive years, that time spent in the Armed Forces during this period shall be counted as prior service and shall be counted as part of the ten (10) or more years of creditable service in Texas, and this time spent in the Armed Forces during this period before becoming an employee of the State shall be calculated on the basis of the rate of annual compensation earned during the first year subsequent to his becoming an employee of the State, but not to exceed three thousand six hundred dollars (\$3,600.00) per year.

"No person shall be entitled to prior service credit under this Act unless he was an employee of the State for two (2) consecutive years prior to the effective date of this amendment or was an employee of the State on the effective date of this amendment."

"Sec. 2. There is, however, specifically reserved and preserved to any individual any and all rights and causes of action that accrued or arose under and by virtue of said Subsection

H of Section 5, of House Bill No. 168, Chapter 352, Acts of 50th Legislature, Regular Session, 1947, as amended.

"Sec. 3. If any word, phrase, clause, sentence, paragraph, section or part of this Act, shall be held by any court of competent jurisdiction to be invalid, or unconstitutional, it shall not affect any other word, phrase, clause, sentence, paragraph, section or part of this Act.

"Sec. 4. The fact that the present law does not provide for credit to be accorded under the Employees Retirement System for military and reserve war services in the present Korean Emergency creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read in three several days in each House be suspended, and said rule is hereby suspended, and that this Act shall take effect and be in force from and after its passage, and it is so enacted."

The committee amendment was adopted.

Senator Moore offered the following committee amendment to the bill:

Amend Senate Bill No. 173 by striking out all above the enacting clause and inserting in lieu thereof the following:

"A. bill to be entitled an Act to amend House Bill No. 168, Chapter 352, Acts of the 50th Legislature, Regular Session, 1947, as amended; fixing the credit to be accorded under the Employees Retirement System for military and war service in time of war or national emergency and fixing a basis for calculation of same; limiting prior service credit; providing a severability clause; and declaring an emergency."

The committee amendment was adopted.

The bill, as amended, was passed to engrossment.

Senate Bill 173 on Third Reading

Senator Moore moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 173 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The presiding officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

Senate Bill 296 on Second Reading

The presiding officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 296, A bill to be entitled "An Act fixing the salary of the District Attorney of the 109th Judicial District of Texas; authorizing the Commissioners Courts of the counties comprising the 109th Judicial District to supplement the salary of the District Attorney and providing the method of supplementation; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 296 on Third Reading

Senator Rutherford moved that the

constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 296 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The presiding officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

Committee Substitute
Senate Bill 52 on Second Reading

The presiding officer laid before the Senate on its second reading and passage to engrossment:

C. S. S. B. No. 52, A bill to be entitled "An Act to amend Section 1, Chapter 323, Acts of the 52nd Legislature, 1951, by providing that all counties may create the office of County Fire Marshal; repealing all laws

in conflict herewith; and declaring an emergency."

The bill was read second time and was passed to engrossment.

**Committee Substitute
Senate Bill No. 52 on Third Reading**

Senator Willis moved that the constitutional rule requiring bills to be read on three several days be suspended and that C. S. S. B. No. 52 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The presiding officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

Senate Bill 303 on Second Reading

The presiding officer laid before the

Senate on its second reading and passage to engrossment:

S. B. No. 303, A bill to be entitled "An Act providing for the creation of county-wide hospital districts in counties having a population of 190,000 or more, etc.; and declaring an emergency."

The bill was read second time.

Senator Phillips offered the following amendment to the bill:

Amend S. B. 303, printed copy, page 1, Sec. 1, line 32, by adding after the word "more" the following "and Galveston County."

The amendment was adopted.

Senator Phillips offered the following amendment to the bill:

Amend S. B. 303, printed copy, by adding to Sec. 7, page 2, line 65, after the word "more" the following, "and Galveston County."

The amendment was adopted.

Senator Hardeman offered the following amendment to the bill:

Amend Senate Bill 303, Section 1, by adding after the word "district" and before the word "and" in line 53, the following:

"providing for the levy of a tax not to exceed 75c on the \$100 valuation"; and by changing the period to a comma in said line 53 after the word "district" and adding the following:

"providing for the levy of a tax not to exceed 75c on the \$100 valuation."

The amendment was adopted.

On motion of Senator Parkhouse and by unanimous consent of the Senate the caption was amended to conform to the body of the bill, as amended.

The bill, as amended, was passed to engrossment.

Senate Bill 303 on Third Reading

Senator Parkhouse moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 303 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The presiding officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

Senate Bill 103 on Second Reading

The presiding officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 103, A bill to be entitled "An Act to amend Article III of Senate Bill No. 116, Acts of 51st Legislature, Regular Session, 1949, Ch. 334, by adding thereto a new Section to be designated Section 2, providing and prescribing method for the determination of professional unit eligibility of school districts located in or under jurisdiction of a county declared to be in a drought disaster area by the President of the United States or his designated agent; providing for effective date of Act; and declaring an emergency."

The bill was read the second time.

Senator Sadler offered the following amendment to the bill:

Strike out all above and all below the enacting clause and in lieu thereof substitute the following:

A BILL
TO BE ENTITLED

"An Act to amend Article III of Senate Bill No. 116, Acts of 51st Legislature, Regular Session, 1949, Ch. 334, by adding thereto a new Section to be designated Section 2, providing and prescribing method for the determination of affiliated unit eligibility of school districts located in or under jurisdiction of a county declared to be in a drought disaster area by the President of the United States or his designated agent; providing for effective date of Act; and declaring an emergency."

Section 1. That Article III of Senate Bill No. 116, Acts of 51st Legislature, R. S., 1949, Ch. 334, page 625 (codified as Article 2922 13 in Vernon's Annotated Civil Statutes) be amended by adding thereto a new section to be designated as Section 2, to read hereafter as follows:

"Sec. 2. Provided that for the school year 1953-54, and any subsequent scholastic year as herein provided, that within any county which has been declared a disaster area by the President of the United States or his agent, as a result of long and continued drought, a school district which has suffered a loss in its scholastic population in excess of fifteen (15%) per cent, to be determined by comparing its official scholastic population for the 1953-54 school year with its official scholastic population for the 1951-52 school year, may retain the same number of affiliated units as were earned on the basis of average daily attendance established in the school year 1951-52. Such district shall continue an affiliated unit eligibility at this determined level until such time as the county which has jurisdiction of the school district has been removed from the disaster list by the above designated Federal Agency, provided that in no event shall the eligibility of the district be reduced within a school year. Provided further, that for the ensuing school years after the county of jurisdiction of the school district has been removed from the drought list, the district will remain eligible for affil-

iated units based on the average daily attendance of the district established within the immediate preceding school year, as provided in the Minimum Foundation Program Act."

Sec. 2. This law shall be effective for the school year beginning September 1, 1953, and thereafter.

Sec. 3. The importance of this legislation and the crowded conditions of the calendars in both Houses of the Legislature creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be and the same is hereby suspended, and this Act shall be in force and effect in accordance with the terms and provisions thereof, and it is so enacted.

SADLER
HARDEMAN
ASHLEY
MOFFETT
CORBIN

The amendment was adopted.

The bill, as amended, was passed to engrossment.

Senate Bill 103 on Third Reading

Senator Sadler moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 103 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The presiding officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

Senate Bill 160 on Second Reading

The presiding officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 160, A bill to be entitled "An Act amending Chapter 429, H. B. 24, Acts of the 52nd Legislature, 1951, known as Article 1702-h, Vernon's Annotated Civil Statutes of Texas, relating to County Law Libraries, so as to provide that the Commissioners Court of Texas shall be authorized to fix the assessment to be made in each civil case for the maintenance of such library, a sum not to exceed five dollars (\$5.00). The other provision of the law to be the same; providing a saving clause and declaring an emergency."

The bill was read the second time.

Senator Hazlewood offered the following committee amendment to the bill:

Amend Senate Bill No. 160 by striking the word "shall" in the second line of Section 4 thereof, and by substituting therefor the word "may."

The committee amendment was adopted.

The bill, as amended, was passed to engrossment.

Senate Bill 160 on Third Reading

Senator Hazlewood moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 160 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseiler
Martin	Weinert
McDonald	Willis

The presiding officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseiler
Martin	Weinert
McDonald	Willis

Senate Bill 161 on Second Reading

The presiding officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 161, A bill to be entitled "An Act to amend Section 10, Chapter 77, Acts of the 39th Legislature, 1925, Regular Session (codified as Article 1538j, Vernon's Civil Statutes) by providing exemptions from the provisions of Articles 1308 to 1311, inclusive, and Articles 1331 and 1338 of the Revised Civil Statutes of 1925."

The bill was read second time and was passed to engrossment.

Senate Bill 161 on Third Reading

Senator Hazlewood moved that the

constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 161 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseiler
Martin	Weinert
McDonald	Willis

The presiding officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseiler
Martin	Weinert
McDonald	Willis

Senate Bill 333 on Second Reading

The presiding officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 333, A bill to be entitled "An Act to amend Article 1287a of the Revised Civil Statutes of the State of Texas, Revision of 1925, by adding a new and additional section exempting Livestock Auction Commission Merchants which are regulated by the

United States Department of Agriculture under the Packers and Stockyards Act; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 333 on Third Reading

Senator Hazlewood moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 333 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The presiding officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

Senate Bill 345 on Second Reading

The presiding officer laid before the

Senate on its second reading and passage to engrossment:

S. B. No. 345, A bill to be entitled "An Act providing for zoning of Padre Island lying within Cameron and Willacy Counties, etc; and declaring an emergency."

The bill was read the second time.

Senator Kelley offered the following amendment to the bill:

Amend Senate Bill No. 345 by inserting a new section to be known as Section 10a, to read as follows:

Section 10a. "The provisions of this Act or of any orders, regulations or restrictions made or entered under the authority of this Act, shall not apply to the location, construction, maintenance or use of central office buildings of corporations, firms, or individuals engaged in the furnishing of telephone service to the public, or to the location, construction, maintenance or use of any equipment in connection with such buildings or as a part of such telephone system, necessary in the furnishing of telephone service to the public."

The amendment was adopted.

On motion of Senator Kelley and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill, as amended, was passed to engrossment.

Senate Bill 345 on Third Reading

Senator Kelley moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 345 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Kelley
Ashley	Lane
Bell	Latimer
Bracewell	Lock
Colson	Martin
Corbin	McDonald
Fuller	Moffett
Hardeman	Moore
Hazlewood	Parkhouse
Kazen	Phillips

Rogers of Childress	Secrest
Rogers of Travis	Shireman
Russell	Strauss
Rutherford	Wagonseller
Sadler	Weinert
	Willis

The presiding officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

Senate Bill 58 on Second Reading

The presiding officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 58, A bill to be entitled "An Act abolishing the rule in Shelley's case as a rule of law or of construction in this State; providing that no estate for life or of freehold, vesting after the effective date of this Act, shall, by virtue of a limitation of the remainder to the heirs of the life tenant, be enlarged to an estate in fee but those who are the heirs of the life tenant at the termination of the estate for life or of freehold shall take the remainder so limited to them; and declaring an emergency."

The bill was read the second time.

Senator Martin offered the following committee amendment to the bill:

Amend S. B. No. 58 by striking out Sections 2 and 3 and substituting in lieu thereof the following:

Section 2. No estate for life or of freehold in any property vesting after December 31, 1953, shall, by virtue of a limitation of the remainder

to the heirs (or to any portion of such heirs however described) of the life tenant, be enlarged to an estate in fee, but those who are the heirs (or heirs of the class described as the same may be) of the life tenant at the termination of the estate for life or of freehold shall take the remainder so limited to them.

Section 3. The provisions of this Act shall have no effect or force upon any litigation pending or filed before the effective date of the same, nor shall it have an effect or force upon any instrument vesting property before the effective date of this Act.

Section 4. The fact that the application by the courts of the rule in Shelley's case as a rule of law or of construction in this State serves only to defeat the purpose and intent of those who by deed or will grant or devise a life estate in property and then carelessly or through ignorance grant or devise the remainder to the heirs of the life tenant, or to the heirs of his body, or to his bodily heirs, or other such groups of heirs, and the further fact that such rule has become a rule of property and may not be abrogated or abolished by the courts creates an emergency and an imperative public necessity that the rule requiring bills to be read on three several days be and the same is suspended and this Act shall take effect and be in force from and after its passage.

The committee amendment was adopted.

On motion of Senator Martin and by unanimous consent the caption was amended to conform to the body of the bill, as amended.

The bill, as amended, was passed to engrossment.

Senate Bill 58 on Third Reading

Senator Martin moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 58 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Colson
Ashley	Corbin
Bell	Fuller
Bracewell	Hardeman

Hazlewood	Rogers
Kazen	of Childress
Kelley	Rogers of Travis
Lane	Russell
Latimer	Rutherford
Lock	Sadler
Martin	Secrest
McDonald	Shireman
Moffett	Strauss
Moore	Wagon seller
Parkhouse	Weinert
Phillips	Willis

The presiding officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagon seller
Martin	Weinert
McDonald	Willis

Senate Bill 326 on Second Reading

The presiding officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 326, A bill to be entitled "An Act making it unlawful for any person to tamper with, damage, or destroy any barricade placed upon any street, road or highway; making it unlawful for any person to disobey the instructions, signals, markings or warnings of any warning sign or device placed upon any street, road or highway; defining certain terms; providing that this Act shall not be applicable to certain persons lawfully engaged in their duties; providing penalties for violation of this Act; providing a savings clause; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 326 on Third Reading

Senator Martin moved that the con-

stitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 326 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagon seller
Martin	Weinert
McDonald	Willis

The presiding officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagon seller
Martin	Weinert
McDonald	Willis

Senate Concurrent Resolution 46 on Second Reading

The presiding officer laid before the Senate on its second reading and passage to engrossment:

S. C. R. No. 46, State Board of Control to contract with San Jacinto Museum of History Association for Custody of San Jacinto Memorial Tower.

The resolution was read second time and was passed to engrossment.

Senate Concurrent Resolution 46 on Third Reading

Senator Bracewell moved that the constitutional rule requiring resolutions to be read on three several days be suspended and that S. C. R. No. 46 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The presiding officer then laid the resolution before the Senate on its third reading and final passage.

The resolution was read third time and was passed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

Committee Substitute Senate Bill 71 on Second Reading

The presiding officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 71, A bill to be entitled
"An Act amending Article 3888, Re-

vised Civil Statutes of Texas, 1925, as amended by Senate Bill 108, Acts of the 52nd Legislature, Chapter 200, page 329, so as to provide that the compensation paid the County Judges acting as Superintendents of Public Instruction by the County Board of School Trustees shall be received and retained by the County Judges in addition to all other compensation provided by law; providing that this Act shall become operative on the first day of the month immediately succeeding its effective date; providing that this Act shall be cumulative; and declaring an emergency."

The bill was read the second time.

Senator Corbin offered the following committee amendment to the bill:

Amend Senate Bill No. 71 by striking out each line that appears below the enacting clause and substituting in lieu thereof the following:

Section 1. Article 3888, Revised Civil Statutes of Texas, 1925, as amended by Senate Bill 108, Acts 52nd Legislature, 1951, Chapter 200, Page 329, is hereby amended so as to hereafter read as follows:

"In a county where the County Judge acts as Ex-officio County Superintendent of Public Instruction, he shall receive and retain in addition to all other compensation provided by law, not more than Twenty-six Hundred (\$2600.00) Dollars a year, as the County Board of School Trustees of the respective counties may provide, whether he is compensated on a fee or salary basis. In such a county an Ex-officio Assistant Superintendent of Public Instruction shall receive not more than Twenty-six Hundred (\$2600.00) Dollars a year, as the County Board of School Trustees of the respective counties may provide.

"The County Judge while acting as Ex-officio County Superintendent of Public Instruction, for office and traveling expenses may receive an amount not to exceed One Thousand Fifty (\$1,050.00) Dollars a year, as the County Board of School Trustees of the respective counties may provide from county funds. The above amounts shall be paid in the manner specified in Chapter 49, Acts of the 41st Legislature, Fourth Called Session, and in Chapter 175, Acts of the 42nd Legislature, Regular Session."

Sec. 2. House Bill 153, Acts of the 51st Legislature, 1949, Regular Session, Chapter 62, Page 106, the same

being Article 2688c, Vernon's Civil Statutes of Texas, is hereby amended so as to hereafter read as follows:

"Section 1. From and after the effective date of this Act the duties now performed by county superintendents in all counties in this State having a population of not less than twenty-eight thousand (28,000) according to the last preceding Federal Census and in which there are no common school districts, shall be performed by the county judges of such counties, and the office of county superintendent as such shall cease to exist, provided, however, that the county superintendents in such counties who have been heretofore elected to the office of county superintendent shall serve until the expiration of the time for which they were elected, and that thereafter the duties now performed by county superintendents in such counties shall be performed by the county judges of such counties."

"Sec. 2. In counties coming under the provision of this Act, the County Judge shall receive and retain in addition to all other compensation provided by law, a salary of not more than Nine Hundred (\$900.00) Dollars per annum as the County Board of School Trustees of the respective counties may provide, whether he is compensated on a fee or salary basis by the county. Such salary shall be for his services in performing the duties of Ex-officio County Superintendent of Public Instruction. Such salary shall be paid in the manner now provided by law and from funds as now provided by law for the payment of county superintendents. And the county judge acting as ex-officio county superintendent shall perform all the duties in such counties as are now by law to be performed by county superintendents, it being the purpose of this Act to abolish, at the expiration of the term of office for which county superintendents were elected in such counties, the office of county school superintendent, and to place such duties with the county judges of such counties."

Sec. 3. Article 2701, Revised Civil Statutes of Texas, 1925, as amended, is hereby amended so as to hereafter read as follows:

"In each county having no School Superintendent, the County Judge shall be Ex-officio County Superintendent and shall perform all the duties required of the County Superintendent in this Chapter. He shall

give bond in the sum of One Thousand (\$1,000.00) Dollars, payable to and to be approved by the County Board of School Trustees of the respective counties and conditioned for the faithful performance of his duties. The County Board shall name or appoint an assistant to the Ex-officio County Superintendent and shall provide for office and traveling expense of the Ex-officio Superintendent. The salary of the Ex-officio Superintendent of Public Instruction, the salary of the Assistant Ex-officio Superintendent of Public Instruction and the office and traveling expenses for the office of the Ex-officio Superintendent in all counties in Texas shall be from and after September 1, 1947, paid from the State and County Available School Fund, and shall be received and retained in addition to all other compensation provided by law, whether the County Judge is compensated on a fee or salary basis."

Sec. 4. The compensation provided County Judges acting as Ex-officio County Superintendents from whatever source shall be received and retained by them in addition to all other compensation provided by law.

Sec. 5. The provisions of this Act shall be cumulative of all other laws.

Sec. 6. This Act shall become operative on the first day of the month immediately succeeding the effective date hereof.

Sec. 7. If any clause, sentence, paragraph, section or provision of this Act shall be held invalid, such invalidity shall not affect the remainder of this Act and the remainder shall, nevertheless, remain in full force and effect.

Sec. 8. The fact that Ex-officio County Superintendents and their assistants perform the identical duties of the regularly elected superintendents and their assistants; that the Attorney General of Texas held in Attorney General Opinion No. V-1262, dated August 28, 1951, that the compensation provided Ex-officio County Superintendents could not be retained by the County Judges acting as Ex-officio County Superintendents of Public Instruction in addition to the salary prescribed by the Commissioners Courts; that additional duties and responsibilities have been placed on the County Judges acting as Ex-officio County Superintendents of Public Instruction and that they should be entitled to receive and retain the com-

pensation provided in this Act in addition to the compensation prescribed by the Commissioners Courts, whether they are compensated on a fee or salary basis, create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and said rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

The committee amendment was adopted.

Senator Corbin offered the following committee amendment to the bill:

Amend Senate Bill No. 71 by striking out each line that appears above the enacting clause and substituting in lieu thereof the following:

A BILL TO BE ENTITLED

"An Act amending Article 3888, Revised Civil Statutes of Texas, 1925, as amended by Senate Bill 108, Acts of the 52nd Legislature, Chapter 200, page 329; amending House Bill 153, Acts of the 51st Legislature, 1949, Regular Session, Chapter 62, page 106; the same being Article 2688c, Vernon's Civil Statutes of Texas; amending Article 2701, Revised Civil Statutes of Texas, 1925, as amended; and amending all other laws pertaining to the compensation paid County Judges acting as Ex-officio County Superintendents so that the compensation paid to the County Judges acting as Ex-officio County Superintendents shall be received and retained by the County Judges, in addition to all other compensation provided by law; providing that this Act shall become operative on the first day of the month immediately succeeding its effective date; providing that this Act shall be cumulative; providing a severability clause; and declaring an emergency."

The committee amendment was adopted.

The bill, as amended, was passed to engrossment.

Committee Substitute Senate Bill 71 on Third Reading

Senator Corbin moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 71 be

placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagon seller
Martin	Weinert
McDonald	Willis

The presiding officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagon seller
Martin	Weinert
McDonald	Willis

Senate Bill 220 on Second Reading

The presiding officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 220, A bill to be entitled "An Act amending Article 1645, Revised Civil Statutes of Texas, 1925, as amended, so as to provide that any county having a population of thirty-five thousand (35,000) inhabitants, or over, according to the last preceding Federal Census, or having a tax valuation of Twenty Million (\$20,000,000) Dollars, or over, according to the last approxed tax rolls, shall have a

County Auditor; providing for a severability clause; providing for a repealing clause; and declaring an emergency."

The bill was read second time.

Senator Moffett offered the following amendment to the bill:

Amend Senate Bill No. 220 by adding the following at the end of line 57 (printed bill):

"It is hereby specifically provided that the office of county auditor now existing under the provisions of Article 1645, Revised Civil Statutes of Texas, as amended, and effective prior to the effective date of this Act, because of a tax valuation of \$15,000,000 in certain counties, or because of any county having exceeded 35,000 population, shall be continued as long as such valuation remains at or above such amount, or as long as the population of said county continues to exceed 35,000 people."

The amendment was adopted.

On motion of Senator Moffett, and by unanimous consent, the caption was amended to conform to the body of the bill, as amended.

The bill, as amended, was passed to engrossment.

Senate Bill 220 on Third Reading

Senator Moffett moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 220 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagon seller
Martin	Weinert
McDonald	Willis

The presiding officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagon seller
Martin	Weinert
McDonald	Willis

Senate Resolution 271

Senator Latimer offered the following resolution:

Whereas, We are honored today to have in the gallery Edison High School Civics Class of 11th and 12th grades, accompanied by Mrs. Minchot and W. W. Few, their teachers; and

Whereas, These students and guests are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine class of young American citizens are here to observe and learn firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome this class and commend them for their interest, and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Latimer presented the class and Mrs. Minchot and Mr. Few to the Members of the Senate.

Presentation of Guests

On motion of Senator Shireman, and by unanimous consent of the Senate, the Girl Scout Troop No. 29 of Corpus Christi, accompanied by Mrs.

W. A. Raatz and Miss Betty Power, were presented to the Members of the Senate.

Bills and Resolutions Signed

The presiding officer announced the signing of, by the President, in the presence of the Senate, after the captions had been read, the following enrolled bills and resolutions:

H. B. No. 341, A bill to be entitled "An Act to amend Section 3 of House Bill 514, Chapter 267, Acts 42nd Legislature, Regular Session, 1931, relating to the keeping of permanent records, and the reporting of all transactions involving pistols; defining the term 'pistols'; and declaring an emergency."

H. C. R. No. 43, Granting permission to Marvel M. Johnson to bring suit against the State of Texas, and/or against the Board of Regents of The University of Texas, Trustees of the Hogg Foundation: W. C. Hogg Memorial Fund.

H. C. R. No. 46, Granting J. W. Luttess and/or Shell Oil Company permission to sue the State of Texas.

H. B. No. 213, A bill to be entitled "An Act providing for a closed season in Garza County upon quail until January 1, 1954, providing a penalty, and declaring an emergency."

H. B. No. 214, A bill to be entitled "An Act providing for a closed season in Borden County upon quail until January 1, 1958, providing a penalty, and declaring an emergency."

H. B. No. 295, A bill to be entitled "An Act to amend Subsection (c) of Section 4, and Subsection (g) of Section 5, of Article 6252-6, Revised Civil Statutes of the State of Texas, enacted by the 52nd Session of the Texas Legislature as House Bill No. 753, relating to the accounting of and responsibility for State property; and declaring an emergency."

H. B. No. 464, A bill to be entitled "An Act authorizing and directing the execution and delivery by the Board for Texas State Hospitals and Special Schools, acting by the executive director thereof, of a right of way easement to certain lands in Taylor County, Texas, to the State Highway Commission of the State of

Texas, for the construction and maintenance of Farm to Market Road No. 1750; and declaring an emergency."

H. B. No. 627, A bill to be entitled "An Act authorizing and directing the execution and delivery by the Board of Directors of the Agricultural and Mechanical College of Texas, acting by the Chancellor thereof, of a deed to certain land in Cherokee County, Texas, conveying said land to the City of Jacksonville; providing for approval of the form of such conveyance by the Attorney General; and declaring an emergency."

H. B. No. 642, A bill to be entitled "An Act authorizing and empowering the State Parks Board to sell iron ore in place, for reasonable valuable considerations, located in or on the lands of Jim Hogg State Park and to grant certain rights; authorizing the Chairman of the State Parks Board to execute and deliver the necessary instruments conveying said iron ore in place; providing for the terms and conditions of sale; providing that the moneys received from said sales shall be deposited in the 'Jim Hogg State Park Building Fund'; providing for the expenditure of such funds; authorizing a majority of the State Parks Board to act; providing a saving clause; and declaring an emergency."

H. B. No. 684, A bill to be entitled "An Act constituting a local law for the maintenance of the public roads and highways in Kaufman County by authorizing the County to issue certificates of indebtedness for the purpose of acquiring right of way for designated State highways or Federal highways when the acquisition of such right of way is approved by the State Highway Commission; requiring the levy of a tax to pay such certificates to be approved by the Attorney General and registered by the Comptroller of Public Accounts and prescribing the effect thereof; enacting other provisions relating to the subject; and declaring an emergency."

H. B. No. 685, A bill to be entitled "An Act constituting a local law for the maintenance of the public roads and highways in Rockwall County by authorizing the County to issue certificates of indebtedness for the purpose of acquiring right of way for designated State highways or Federal highways when the acquisition of such

right of way is approved by the State Highway Commission; requiring the levy of a tax to pay such certificates to be approved by the Attorney General and registered by the Comptroller of Public Accounts and prescribing the effect thereof; enacting other provisions relating to the subject; and declaring an emergency."

H. B. No. 745, A bill to be entitled "An Act amending Article 4492 of Vernon's Revised Civil Statutes to allow counties and cities to cooperate in establishing, building, equipping and maintaining hospitals; repealing all laws and parts of laws in conflict; and declaring an emergency."

H. B. No. 833, A bill to be entitled "An Act making it unlawful for a person to take or kill more than ten squirrels in Austin County in one day or to have in possession more than twenty squirrels; providing a penalty; and declaring an emergency."

H. B. No. 834, A bill to be entitled "An Act amending Chapter 283, Acts of the 52nd Legislature, 1951, by amending Section 2 thereof so as to eliminate Austin County from its provisions, and by adding thereto a new section to be numbered Section 2a, making it unlawful to sell or to take or transport for the purpose of sale outside Austin County any minnows from the public waters of that county; and declaring an emergency."

H. B. No. 837, A bill to be entitled "An Act providing a closed season on squirrel in Jackson County during certain months; fixing a limit on the number of squirrels which a person may take or kill in Jackson County in one day or have in possession at one time, providing a penalty for violations of this Act; repealing conflicting laws; and declaring an emergency."

H. B. No. 838, A bill to be entitled "An Act amending Article 880, Penal Code of Texas, 1925, as amended, by removing Jackson County from the list of counties to which the prohibition against the hunting, pursuing, or taking of deer with dogs does not apply; declaring the effect of this amendment on existing statutes; and declaring an emergency."

H. B. No. 840, A bill to be entitled "An Act fixing the open season for

deer and turkey in Eastland County, and providing a bag limit on turkey; providing a penalty for violation thereof; repealing conflicting laws; and declaring an emergency."

H. B. No. 858, A bill to be entitled "An Act amending Section 2a of Chapter 121, House Bill No. 187, Acts 52nd Legislature, 1951 (Article 326k-12, Vernon's Civil Statutes), so that in the 30th Judicial District of Texas the maximum salary of investigators and assistants appointed by the District Attorney may be fixed at a sum not exceeding \$6,000.00 and the maximum salary of the stenographer appointed by the District Attorney may be fixed at a sum not exceeding \$3,600.00; repealing all laws, general or special, in conflict with this Act; and declaring an emergency."

H. B. No. 861, A bill to be entitled "An Act fixing an open season on buck deer, wild turkey and quail in Live Oak County; repealing all laws in conflict therewith; fixing a penalty; and declaring an emergency."

H. B. No. 862, A bill to be entitled "An Act making it unlawful to take, hunt, kill, or attempt to kill wild turkey in Shackelford County for a period of five years from and after the effective date of this Act; providing a penalty therefor; and declaring an emergency."

H. B. No. 844, A bill to be entitled "An Act creating a conservation and reclamation district under the provisions of Section 59, Article 16 of the Constitution, to be known as 'Medina County Water Control and Improvement District No. 2'; enacting other provisions relating to the subject; and declaring an emergency."

H. B. No. 557, A bill to be entitled "An Act prohibiting commercial fishing and seines and nets in Denton County; making exceptions, providing suitable penalty, repealing all laws in conflict, and declaring an emergency."

H. B. No. 608, A bill to be entitled "An Act regulating fishing in the Brazos River, Lake Whitney, and streams emptying into the tributaries thereto in Bosque, Hill, Somervell, and Johnson Counties, Texas, regulating the sale of and possession of fish for sale and providing for penalty

for violation thereof; and declaring an emergency."

H. B. No. 423, A bill to be entitled "An Act to amend Article 7718, Revised Civil Statutes of Texas, 1925, as amended, by adding a new section to be known as Article 7718c, so as to provide for the election of directors of water improvement districts for two- and four-year terms of office and for the holding of a general election on the second Tuesday of January every two years; providing for staggered terms of five directors to be elected at the first general election; and declaring an emergency."

H. B. No. 839, A bill to be entitled "An Act providing that wild fox may be taken or killed at any time in Guadalupe, Comal, Hays, Blanco, and Kendall Counties, and providing that the hides and pelts thereof may be sold; repealing all laws or parts of laws in conflict herewith; and declaring an emergency."

H. B. No. 841, A bill to be entitled "An Act authorizing school districts to invest proceeds from sale of school district bonds in bonds or other obligation of the United States of America until needed for purposes for which school district bonds were originally authorized; repealing conflicting laws; providing partial invalidity shall not affect remainder of Act; and declaring an emergency."

H. B. No. 477, A bill to be entitled "An Act to establish the Probate Court of Galveston County; etc., and declaring an emergency."

H. B. No. 48, A bill to be entitled "An Act to amend Subsection (C) of Section 3, Acts 1931, Chapter 282, Acts Regular Session, Forty-second Legislature, as amended by Acts of 1949, Regular Session, 51st Legislature, regulating the maximum length of motor buses; requiring certain motor buses to be equipped with air brakes and to have a minimum of four (4) tires on the rear axle; and declaring an emergency."

H. B. No. 832, A bill to be entitled "An Act making it unlawful to kill, or attempt to kill, or molest wild turkey in Colorado, Jackson, Lavaca, and Wharton Counties for a period of two (2) years; providing a penalty; repealing all conflicting laws; and declaring an emergency."

H. B. No. 615, A bill to be entitled "An Act amending Section 2 of House Bill No. 347, Chapter 268, Acts of the Regular Session of the 51st Legislature, fixing the time and terms of holding of the 51st Judicial District Court in the Counties of Tom Green, Irion, Schleicher, Coke and Sterling; validating and continuing all processes issued or served before this Act takes effect, including recognizances and bonds and making them returnable to the next term of Court in said counties; validating the summoning of Grand and Petit Juries under this Act; and declaring an emergency."

Recess

On motion of Senator Aikin the Senate at 11:55 o'clock a. m. took recess until 2:00 o'clock p. m. today.

After Recess

The presiding officer (Senator Hardeman in the Chair) called the Senate to order at 2:00 o'clock p. m. today.

Reports of Standing Committees

By unanimous consent, Senator Ashley submitted the following report:

Austin, Texas,
May 11, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred H. B. No. 635, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

ASHLEY, Chairman.

By unanimous consent, Senator Parkhouse submitted the following report:

Austin, Texas,
May 11, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Towns and City Corporations, to whom was referred H. B. No. 887, have had the same under consideration, and we are instructed to report it back to the

Senate with the recommendation that it do pass and be printed.

PARKHOUSE, Chairman.

Message From the House

Hall of the House of Representatives,
Austin, Texas,
May 11, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. C. R. No. 108, Be it resolved by the House of Representatives, the Senate concurring, that the Joint Rules of the House and Senate be and are hereby suspended to allow the House to take up and consider local and uncontested bills on Wednesday, May 13, 1953.

The House has concurred in Senate amendments to House Bill No. 175 by vote of 114 yeas, 20 nays, and 1 present not voting.

The House has adopted the Conference Committee Report on House Bill No. 79 by a viva voce vote.

Respectfully submitted,

CLARENCE JONES,

Chief Clerk, House of Representatives.

Message From the Governor

The presiding officer laid before the Senate and directed the clerk to read the following message received from the Governor:

Austin, Texas,
May 8, 1953.

To the Members of the Fifty-third Legislature:

I am vetoing and returning herewith House Bill No. 323, for the reason that this act provides for the public sale of approximately 18,000 acres of State-owned lands and does not follow the general law requiring State property to be sold to the highest or the best bidder.

I assume this land was purchased by the State at some date in the past. I call your attention to the emergency clause which reads in part as follows:

"... that lands are of such irregularity in shape and extent that they cannot be fenced, controlled, or operated efficiently or economically. . . ."

It appears to me that this matter should have been taken into consideration at the time of the purchase. If the land purchase program was handled in such a manner, I cannot approve legislation authorizing a sale that might result in the same type of errors.

Respectfully submitted,

ALLAN SHIVERS,
Governor of Texas.

House Concurrent Resolution 108 on Second Reading

On motion of Senator Martin, and by unanimous consent of the Senate, the presiding officer laid before the Senate for consideration at this time the following resolution:

H. C. R. No. 108, Be it resolved by the House of Representatives, the Senate concurring, that the Joint Rules of the House and Senate be and are hereby suspended to allow the House to take up and consider local and uncontested bills on Wednesday, May 13, 1953.

The resolution was read second time and was adopted.

Local and Uncontested Bill Calendar Continued

The presiding officer announced that the Senate would resume the consideration of the Local and Uncontested Bill Calendar.

House Bill 205 on Second Reading

The presiding officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 205, A bill to be entitled "An Act repealing Chapter 39, page 107, of the Acts of the First Called Session of the 51st Legislature, 1950, prohibiting the sale of fresh water fish weighing under 10 pounds in Bastrop County, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 205 on Third Reading

Senator Rogers of Travis moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 205 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The presiding officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

House Bill 359 on Second Reading

The presiding officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 359, A bill to be entitled "An Act amending Article 1529, Chapter 19, Title 32, of the Revised Civil Statutes of Texas, 1925, as amended, by adding a new section thereto; describing certain things which a foreign corporation may do without being considered to be transacting business in this State; providing severability; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 359 on Third Reading

Senator Aikin moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 359 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The presiding officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

House Bill 847 on Second Reading

The presiding officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 847, A bill to be entitled "An Act to amend Article 4346 of the Revised Civil Statutes of Texas to provide that all deeds conveying land or interests in land to the State

of Texas for the use of the State Highway Department for highway purposes be deposited in the offices of the State Highway Department in Austin, Texas, and directing the Comptroller of Public Accounts to transfer to the State Highway Department all such deeds and instruments of conveyance heretofore deposited in his office, along with all of the files and filing equipment used by him in maintaining such files, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 847 on Third Reading

Senator Moffett moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 847 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The presiding officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Lane
Ashley	Latimer
Bell	Lock
Bracewell	Martin
Colson	McDonald
Corbin	Moffett
Fuller	Moore
Hardeman	Parkhouse
Hazlewood	Phillips
Kazen	Rogers
Kelley	of Childress

Rogers of Travis	Shireman
Russell	Strauss
Rutherford	Wagonseller
Sadler	Weinert
Secrest	Willis

Committee Substitute House Bill 859 on Second Reading

The presiding officer laid before the Senate on its second reading and passage to third reading:

C. S. H. B. No. 859, A bill to be entitled "An Act fixing the salary of the District Attorney of the 30th Judicial District, repealing all laws, general or special, in conflict with this Act and declaring an emergency."

The bill was read second time and was passed to third reading.

Committee Substitute House Bill 859 on Third Reading

Senator Moffett moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 859 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The presiding officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Colson
Ashley	Corbin
Bell	Fuller
Bracewell	Hardeman

Hazlewood	Rogers
Kazen	of Childress
Kelley	Rogers of Travis
Lane	Russell
Latimer	Rutherford
Lock	Sadler
Martin	Secrest
McDonald	Shireman
Moffett	Strauss
Moore	Wagonseller
Parkhouse	Weinert
Phillips	Willis

**Committee Substitute
House Bill 628 on Second Reading**

The presiding officer laid before the Senate on its second reading and passage to third reading:

C. S. H. B. No. 628, A bill to be entitled "An Act to add a new section to Article 1645, Revised Civil Statutes of Texas, 1925, as amended; providing for salaries for County Auditors in Counties having a population of six hundred thousand (600,000), or more, according to the last preceding Federal Census; providing for minimum and maximum salaries and the method of payment of same; providing for the manner of appointment and determining and fixing of the salaries; providing for the repeal of conflicting laws with exceptions; providing for a savings clause; and declaring an emergency."

The bill was read the second time.

Senator Bracewell offered the following amendment to the bill:

Amend Committee Substitute for House Bill No. 628 by changing the period (.) at the end of the first sentence of Section 2 thereof to a semicolon (;), and adding to such sentence the following: "provided, however, that the salary and other compensation of the County Auditor from all sources shall not exceed the annual sum of Fifteen Thousand (\$15,000.00) Dollars."

The amendment was adopted.

The bill, as amended, was passed to third reading.

**Committee Substitute
House Bill 628 on Third Reading**

Senator Parkhouse moved that the constitutional rule requiring bills to be read on three several days be suspended and that C. S. H. B. No. 628

be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The presiding officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

House Bill 438 on Second Reading

The presiding officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 438, A bill to be entitled "An Act amending H. B. No. 159, Chapter 33, page 50, of the 42nd Legislature, 1945, being Article 3202-a, Revised Civil Statutes of Texas, 1925, so as to except from the provisions for payment of the cost of support, maintenance, and treatment of the persons legally liable for the support of children received and kept in the

Texas School for the Deaf; and declaring an emergency."

The bill was read the second time.

Senator Lane offered the following amendment to the bill:

Among H. B. No. 438 by inserting after the word "youths" the words "or Austin State School" in line 4 of page 2.

The amendment was adopted.

On motion of Senator Parkhouse and by unanimous consent of the Senate, the caption was amended to conform to the body of the bill, as amended.

The bill, as amended, was passed to third reading.

House Bill 438 on Third Reading

Senator Parkhouse moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 438 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The presiding officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Colson
Ashley	Corbin
Bell	Fuller
Bracewell	Hardeman

Hazlewood
Kazen
Kelley
Lane
Latimer
Lock
Martin
McDonald
Moffett
Moore
Parkhouse
Phillips

Rogers
of Childress
Rogers of Travis
Russell
Rutherford
Sadler
Secrest
Shireman
Strauss
Wagonseller
Weinert
Willis

House Bill 570 on Second Reading

The presiding officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 570, A bill to be entitled "An Act authorizing and empowering the Board of Regents of the University of Texas, without cost or expense to the State of Texas or the University of Texas, to lease portions of land in Dallas County, Texas, deeded to the State of Texas by Southwestern Medical Foundation, to nonprofit organizations, for the purpose of constructing, maintaining and operating hospitals, dormitories, and housing facilities; and declaring an emergency."

The bill was read the second time.

Senator Parkhouse offered the following amendment to the bill:

Amend H. B. No. 570, Section 1, line 28 (printed copy) by changing the comma after the word "hospital" to a semicolon and striking out all the language following on line 28 to the semicolon on line 29.

The amendment was adopted.

The bill, as amended, was passed to third reading.

House Bill 570 on Third Reading

Senator Parkhouse moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 570 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Bracewell
Ashley	Colson
Bell	Corbin

Fuller	Phillips
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Russell
Lane	Rutherford
Latimer	Sadler
Lock	Secrest
Martin	Shireman
McDonald	Strauss
Moffett	Wagonseller
Moore	Weinert
Parkhouse	Willis

The presiding officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

House Bill 671 on Second Reading

The presiding officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 671, A bill to be entitled "An Act to allow the Commissioners Court in certain Counties to fix the salaries of the District, County and Precinct Officers and all deputies and employees of such Counties; to provide that the Commissioners Court shall fix the number of deputies and employees of Certain District, County and Precinct Officers; to provide for automobile allowance for certain officers and employees; providing for additional compensation from County funds for the County and District Judges of such Counties; repealing all laws in conflict herewith and declaring an emergency."

The bill was read the second time.

Senator Parkhouse offered the following amendment to the bill:

Amend House Bill 671 by striking out all below the enacting clause, and substituting therefor the following:

"Section 1. In all counties of this State having a population of six hundred thousand (600,000) or more according to the last preceding federal census, the County Judge and Commissioners of such counties shall be paid an annual salary in equal monthly installments as follows: County Judge, Thirteen Thousand Five Hundred (\$13,500) Dollars; County Commissioners Nine Thousand Six Hundred (\$9,600) Dollars.

Section 2. In all of said counties the Commissioners Court of such Counties shall fix the salaries of the Sheriff, Criminal District Attorney, District Attorney, County Attorney, County Clerk, District Clerk, and Tax Assessor and Collector at not less than Nine Thousand Nine Hundred (\$9,900) Dollars, nor more than Eleven Thousand Eight Hundred (\$11,800) Dollars per annum payable in equal monthly installments; provided, however, that the total salary received by the Tax Assessor and Collector, including all additional fees and compensation, shall not exceed Fifteen Thousand (\$15,000) Dollars in the aggregate.

Section 3. In all of such counties, the Commissioners Court of such counties shall fix the salary of the Judges of the County Courts at Law, the Judges of the County Criminal Courts, and the Judges of the Probate Courts at not less than Eight Thousand Two Hundred (\$8,200) Dollars, nor more than Ten Thousand Six Hundred (\$10,600) Dollars payable in equal monthly installments.

Section 4. In all of such counties, the Commissioners Court of such counties shall fix the salaries of the Justices of the Peace and the Constables at not to exceed Eight Thousand Eight Hundred (\$8,800) Dollars per annum, to be paid in equal monthly installments; provided, however, that the Justices of the Peace and Constables whose precincts lie wholly or in part in cities having a population of four hundred thirty thousand (430,000) or more according to the last preceding federal census shall receive not less than Seven Thousand Five Hundred (\$7,500) Dollars per annum.

Section 5. In all of such counties, the Judges of the several District Courts in such Counties shall each receive from county funds for all judicial

and administrative services required of them an annual salary or allowances of Four Thousand Five Hundred (\$4,500) Dollars to be paid by the Commissioners Court in equal monthly installments. Such additional compensation shall be in addition to the salaries payable out of State funds; provided, however, that the annual aggregate salary of said District Judges from both State and County sources shall not exceed Thirteen Thousand Five Hundred (\$13,500) Dollars.

Section 6. The Commissioners Court of such Counties shall fix the salaries of all Deputies, Clerks and other employees including road and bridge employees as well as the number of Deputies, Clerks and other employees including road and bridge employees to be allowed all District, County and Precinct Officers. In fixing the salaries of all Deputies, Clerks and other employees including road and bridge employees the Commissioners Court shall always take into consideration the duties and responsibilities of said Deputies, Clerks and other employees.

Section 7. Said Commissioners Courts are hereby authorized to allow such automobile expense to any officer or employee in the performance of his official duties as they may deem necessary.

Section 8. The salaries and other compensation contained in this Act shall be in lieu of all other salaries and compensation now received by any District, County or Precinct Officer of such Counties; provided, however, that nothing in this Act shall be construed to repeal, alter or amend any of the provisions of Senate Bill 271, Chapter 368, page 620, of the Acts of the 52nd Legislature, 1951, or of the provisions of Senate Bill 426, Chapter 366, page 699 of the Acts of the 51st Legislature, 1949, except insofar as such acts are in conflict with or limited by the provisions of this Act.

Section 9. The fact that the cost of living has increased since the last adjustment of salaries in such Counties, and that the officers of such Counties are being burdened with increasing duties and responsibilities, creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be and the same is hereby suspended and this Act shall take effect from and after its passage, and it is so enacted."

BRACEWELL
PARKHOUSE

The amendment was adopted.

On motion of Senator Parkhouse, and by unanimous consent of the Senate, the caption was amended to conform to the body of the bill as amended.

The bill, as amended, was passed to third reading.

House Bill 671 on Third Reading

Senator Parkhouse moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 671 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The presiding officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

House Bill 595 on Second Reading

The presiding officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 595, A bill to be entitled "An Act providing an open season for deer and turkey and bag and possession limits thereon in Hopkins, Delta, and Franklin Counties; fixing a penalty for violation thereof; repealing all laws in conflict herewith; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 595 on Third Reading

Senator Aikin moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 595 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The presiding officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Lane
Ashley	Latimer
Bell	Lock
Bracewell	Martin
Colson	McDonald
Corbin	Moffett
Fuller	Moore
Hardeman	Parkhouse
Hazlewood	Phillips
Kazen	Rogers
Kelley	of Childress

Rogers of Travis	Shireman
Russell	Strauss
Rutherford	Wagonseller
Sadler	Weinert
Secrest	Willis

House Bill 548 on Second Reading

The presiding officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 548, A bill to be entitled "An Act to amend subdivision (4)b of Section 1 of Article III of Senate Bill 116, Chapter 334, Acts of the 51st Legislature, 1949, as amended by Senate Bill 44, Chapter 39, Acts of the 52nd Legislature, 1951, (Art. 2922-13, V.A.C.S.) by providing that a school district may use property outside certain limits of the district within or without the State for the education of exceptional children; making certain requirements; repealing laws in conflict; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 548 on Third Reading

Senator Aikin moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 548 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The presiding officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

Senate Bill 76 with House Amendments

Senator McDonald called S. B. No. 76 from the President's table for consideration of the House amendments to the bill.

The presiding officer laid the bill and House amendments before the Senate, and the House amendments were read.

Senator McDonald moved that the Senate concur in the House amendments.

The motion prevailed.

House Bill 563 on Second Reading

The presiding officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 563, A bill to be entitled "An Act prescribing the compensation of County Attorneys in counties having a population of 650,000 inhabitants or more according to the last preceding Federal Census; providing for the appointment of assistants, investigators and secretaries in such counties; providing for their compensation; and declaring an emergency."

The bill was read second time.

Senator Bracewell offered the following amendment to the bill:

Amend House Bill 563 by striking out the words and figures "Ten Thousand, Eight Hundred Dollars (\$10,800.00)" and substituting therefor the words and figures "Eleven Thousand, Eight Hundred Dollars (\$11,800.00)."

The amendment was adopted.

On motion of Senator Bracewell,

and by unanimous consent of the Senate, the caption was amended, to conform to the body of the bill, as amended.

The bill, as amended, was passed to third reading.

House Bill 563 on Third Reading

Senator Bracewell moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 563 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The presiding officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

House Bill 856 on Second Reading

The presiding officer laid before the

Senate on its second reading and passage to third reading:

H. B. No. 856, A bill to be entitled "An Act to amend the Harris County Road Law, Acts 1913, Thirty-third Legislature, Special Laws, page 64, Chapter 17, as amended, by amending Section 31-C, Acts 1947, Fiftieth Legislature, Special Laws, Chapter 205, page 358, and by adding Section 31-D, to provide for a minimum county road width, provide for regulating the acceptance, recording and maintenance of roads, providing that no plat or subdivision shall be filed unless the roads set out therein are of such width and constructed to certain specifications; providing a means by which building lines can be established on highways and roads in the county; and declaring an emergency."

The bill was read second time.

Senator Bracewell offered the following amendment to the bill:

Amend H. B. No. 856 by striking out all of Section 2 of the bill and inserting in lieu thereof the following:

"Sec. 2. The Harris County Road Law, Acts 1913, Regular Session, Special Laws, page 64, Chapter 17, as amended, is hereby further amended by adding thereto a new Section which shall be known as Section 31-D, which shall read as follows:

"Section 31-D. (a) Whenever the Commissioners Court of Harris County deems that the general welfare will be promoted thereby, it is hereby authorized and empowered to establish building lines on highways and roads, or any part thereof, in Harris County, and to prohibit any new building being located within such building lines outside of the corporate limits of any city, village or incorporated town in said county. Such Commissioners Court is further authorized and empowered to regulate and to limit and to change and amend by order such building lines on such highways or roads and to prohibit any new building being located within such building lines outside the corporate limits of any city, village or incorporated town within said county, subject to the provisions of subparagraph (d) hereof.

(b) Before the adoption of any plan or the establishing of building lines on any highway or road in Harris County, the Commissioners

Court shall hold at least one public hearing related thereto after having given at least fifteen (15) days' notice of the time and place of such hearing by the publication thereof in a newspaper having general circulation within Harris County, such publication being at least fifteen (15) days prior to the date of the hearing. If practicable, and solely at the discretion of the Commissioners Court, each landowner affected by the establishment of such building lines shall be given actual notice by United States Registered Mail of such hearing. Any hearing so set by the Commissioners Court may be continued from time to time until within the discretion of said court all interested persons shall have had an opportunity to be heard. After the Commissioners Court has heard all interested persons and shall have found that the establishing of such building lines is for the general welfare of the County, said Court shall pass its resolution adopting such building lines. Such resolution shall contain an exact description of the area included within such building lines by either field notes or by map or by both, and a certified copy thereof shall be filed immediately with the County Clerk of Harris County. Thereafter the Commissioners Court may, upon public hearing with like notice thereof, amend, supplement, grant exceptions thereto, or alter the building lines so established as in its discretion it may determine necessary.

(c) Upon the filing of the aforesaid resolution containing the full description of the area within such building lines, all persons shall be charged with notice of the requirements of such resolution and after the establishment of such building lines, no building or other structure shall be erected, constructed or substantially repaired, and no new building or other structure or part thereof shall be erected or re-erected within said lines so established, subject to the provisions of subparagraph (d) hereof.

(d) In case any building or part thereof is erected, reconstructed or substantially repaired, or if any person shall by an overt act or other means indicate an intention to erect, reconstruct or substantially repair any building within the area as set by such building lines, then the County Attorney, upon resolution of the

Commissioners Court giving due authorization, shall institute eminent domain proceedings to acquire the area within said building lines. If eminent domain proceedings are not instituted as herein provided within 90 days after written notice, either of the erection, reconstruction, substantial repair or of the intention to so erect, reconstruct or substantially repair any building, has been mailed, properly stamped and addressed to the Commissioners Court, County Court House, Houston, Texas, the building lines as established shall not affect damages to be paid in eminent domain proceedings thereafter instituted to acquire said area within said building lines but such damages shall be determined and paid as though such building lines had not been established.

(e) It is the intention of this Act to give the Commissioners Court of Harris County the right to protect from encroachment those areas which in the opinion of the Commissioners Court will be necessary for future rights-of-way for highways and roads within Harris County.

It is not the intention of this Act to give the Commissioners Court the power to acquire property without due process of law and without proper compensation therefor."

The amendment was adopted.

On motion of Senator Bracewell and by unanimous consent of the Senate, the caption was amended to conform to the body of the bill, as amended.

The bill, as amended, was passed to third reading.

House Bill 856 on Third Reading

Senator Bracewell moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 856 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Hardeman
Ashley	Hazlewood
Bell	Kazen
Bracewell	Kelley
Colson	Lane
Corbin	Latimer
Fuller	Lock

Martin	Russell
McDonald	Rutherford
Moffett	Sadler
Moore	Secrest
Parkhouse	Shireman
Phillips	Strauss
Rogers	Wagonseller
of Childress	Weinert
Rogers of Travis	Willis

The presiding officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

House Bill 405 on Second Reading

The presiding officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 405, A bill to be entitled "An Act authorizing governing bodies of cities, towns and villages to purchase real property and improvements thereon for municipal purposes from the Federal Government when offered for sale; validating all actions and negotiations of governing bodies of cities, towns and villages prior to the effective date of this Act relating to the purchase of real property from the Federal Government; authorizing said governing bodies to sell and convey property so acquired when no longer needed for the purposes for which acquired or when such purpose or purposes no longer exist; providing a savings clause; repealing all laws or parts of laws in conflict with the provisions of this Act; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 405 on Third Reading

Senator Latimer moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 405 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The presiding officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

House Bill 562 on Second Reading

The presiding officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 562, A bill to be entitled "An Act creating the Constitutional office of County Attorney of Harris County; providing for the election, tenure of office and prescribing the

qualifications, powers and duties of said office; providing for the appointment of a County Attorney by the Commissioners' Court on September 1, 1953; providing for the appointment of assistants, investigators and secretaries; providing for their powers and duties; providing for a severability clause; providing for a repealing clause; providing that this Act shall be operative on September 1, 1953; and declaring an emergency."

The bill was read second time.

Senator Bracewell offered the following amendment to the bill:

Amend House Bill 562 by striking out Section 3 therefrom and substituting therefor the following:

"Section 3. It shall be the primary duty of the County Attorney of Harris County or his assistants to represent the State of Texas, Harris County and the officials of such county in all civil matters pending before the courts of Harris County and any other courts where the State of Texas, Harris County, and the officials of such county have matters pending. It is understood that the County Attorney will represent the State of Texas, Harris County and the officials of such county in such civil matters as is now required by law of Criminal District Attorneys, District Attorneys, and County Attorneys with the exception that the County Attorney shall represent the Flood Control District of Harris County and perform any and all other duties imposed by this Act without any additional fee, compensation or perquisite other than that paid by Harris County out of its officers salary fund."

The amendment was adopted.

Senator Bracewell offered the following amendment to the bill:

Amend House Bill 562 by striking out Section 6 therefrom and substituting therefor the following:

Sec. 6. On September 1, 1953, the Commissioners' Court of Harris County shall appoint a County Attorney of Harris County who shall hold office until the next general election and until his successor is duly elected and qualified. The Commissioners' Court shall have authority from time to time to authorize the appointment of assistants, investigators and secre-

taries as said Commissioners' Court shall deem necessary to the efficient operation of the office of County Attorney. The salaries of the County Attorney and such assistants, investigators and secretaries, as well as the operating expenses of the office, shall be paid out of County funds and in no way be an obligation of the revenues of the State of Texas.

The amendment was adopted.

On motion of Senator Bracewell, and by unanimous consent of the Senate, the caption was amended to conform to the body of the bill, as amended.

The bill, as amended, was passed to third reading.

House Bill 562 on Third Reading

Senator Bracewell moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 562 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The presiding officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Fuller
Ashley	Hardeman
Bell	Hazlewood
Bracewell	Kazen
Colson	Kelley
Corbin	Lane

Latimer	Rogers of Travis
Lock	Russell
Martin	Rutherford
McDonald	Sadler
Moffett	Secrest
Moore	Shireman
Parkhouse	Strauss
Phillips	Wagonseller
Rogers	Weinert
of Childress	Willis

House Bill 561 on Second Reading

The presiding officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 561, A bill to be entitled "An Act creating the Constitutional office of District Attorney for the Criminal District Court of Harris County; providing for the election, tenure of office and prescribing the qualifications, powers, duties and compensation; providing for the appointment of assistants, investigators, reporters and secretaries; providing for their compensation, prescribing their powers and duties; abolishing the office of Criminal District Attorney of Harris County; providing for the appointment of a District Attorney by the Governor on September 1, 1953; providing that the Criminal District Attorney shall transfer all criminal matters to the District Attorney and all civil matters to the County Attorney; providing for a severability clause; providing for a repealing clause; providing that this Act shall be operative on September 1, 1953; and declaring an emergency."

The bill was read second time.

Senator Bracewell offered the following amendment to the bill:

Amend House Bill 561 by striking out therefrom Section 4 and substituting therefor the following:

"Section 4. The District Attorney shall be commissioned by the Governor and shall receive as compensation therefor, out of funds provided in the biennial Appropriation Act, and from the officers salary fund of Harris County an annual sum, the total of which shall be fixed by the Commissioners Court of Harris County at not less than Nine Thousand Nine Hundred (\$9,900.00) Dollars nor more than Eleven Thousand Eight Hundred (\$11,800.00) Dollars. The allocation heretofore made under the provisions of Subsection B, Section

13 and Section 15, Subsection A of Chapter 465, Section 6(a), 2nd Called Session, Acts 44th Legislature, to the Criminal District Attorney of Harris County shall be made and allocated on the same basis to the District Attorney for the Criminal District Court of Harris County in the biennial Appropriation Act."

The amendment was adopted.

Senator Bracewell offered the following amendment to the bill:

Amend House Bill 561 by striking out the caption and substituting therefor the following:

"An Act creating the constitutional office of District Attorney for the Criminal District Court of Harris County; providing for the election, tenure of office and prescribing the qualifications, powers, duties and compensation; providing for allocation of funds under the biennial appropriation; providing for the appointment of assistants, investigators, reporters and secretaries; providing for their compensation, prescribing their powers and duties; abolishing the office of Criminal District Attorney of Harris County; providing for the appointment of a District Attorney by the Governor on September 1, 1953; providing that the Criminal District Attorney shall transfer all criminal matters to the District Attorney and all civil matters to the County Attorney; providing for a severability clause; providing for a repealing clause; providing that this Act shall be operative on September 1, 1953; and declaring an emergency."

The amendment was adopted.

On motion of Senator Bracewell, and by unanimous consent of the Senate, the caption was amended to conform to the body of the bill, as amended.

The bill, as amended, was passed to third reading.

House Bill 561 on Third Reading

Senator Bracewell moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 561 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin

Ashley

Bell
Bracewell
Colson
Corbin
Fuller
Hardeman
Hazlewood
Kazen
Kelley
Lane
Latimer
Lock
Martin
McDonald
Moffett

Moore
Parkhouse
Phillips
Rogers
of Childress
Rogers of Travis
Russell
Rutherford
Sadler
Secrest
Shireman
Strauss
Wagonseller
Weinert
Willis

The presiding officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin
Ashley
Bell
Bracewell
Colson
Corbin
Fuller
Hardeman
Hazlewood
Kazen
Kelley
Lane
Latimer
Lock
Martin
McDonald

Moffett
Moore
Parkhouse
Phillips
Rogers
of Childress
Rogers of Travis
Russell
Rutherford
Sadler
Secrest
Shireman
Strauss
Wagonseller
Weinert
Willis

House Bill 564 on Second Reading

The presiding officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 564, A bill to be entitled "An Act to amend Section 3, Article 3899b of the Revised Civil Statutes of Texas of 1925, as amended, to allow the Commissioners Court of the county to increase the allowance for the use of automobiles in the County Tax Assessor and Collector's office from four cents (4c) per mile traveled, to six cents (6c) per mile where such automobile is used in county work; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 564 on Third Reading

Senator Bracewell moved that the

constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 564 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The presiding officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

House Bill 445 on Second Reading

The presiding officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 445, A bill to be entitled "An Act amending Chapter 302, Acts of the 52nd Legislature, 1951, which authorizes the Commissioners Court of certain counties to establish traffic zones on county roads and to otherwise regulate the presence and opera-

tion of motor vehicles on such roads and prescribes penalties for violation of its provisions, by making it applicable to all counties having a population of 500,000 or more; and declaring an emergency."

The bill was read the second time.

Senator Latimer offered the following amendment to the bill:

Amend H. B. No. 445 by striking out the words "having a population of one hundred and fifty thousand (150,000) or more," wherever they appear in "Section 1," "Section 3" and "Section 4," and inserting in lieu thereof the words "having a population of five hundred thousand (500,000) or more."

The amendment was adopted.

Senator Latimer offered the following amendment to the bill:

Amend the caption of H. B. No. 445 by striking out the words "having a population of one hundred and fifty thousand (150,000) or more," and inserting in lieu thereof the words "having a population of five hundred thousand (500,000) or more."

The amendment was adopted.

On motion of Senator Latimer and by unanimous consent of the Senate, the caption was amended to conform to the body of the bill, as amended.

The bill, as amended, was passed to third reading.

House Bill 445 on Third Reading

Senator Latimer moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 445 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Kelley
Ashley	Lane
Bell	Latimer
Bracewell	Lock
Colson	Martin
Corbin	McDonald
Fuller	Moffett
Hardeman	Moore
Hazlewood	Parkhouse
Kazen	Phillips

Rogers of Childress	Secrest
Rogers of Travis	Shireman
Russell	Strauss
Rutherford	Wagonseller
Sadler	Weinert
	Willis

The presiding officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

House Bill 843 on Second Reading

The presiding officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 843, A bill to be entitled "An Act providing that the Board of Trustees of all rural High School Districts and County line rural High School Districts in this State shall, at all times, have the right to enter into contracts of employment with a Superintendent, Principals, and Teachers and other executive officers of such School District for a term not to exceed three years; providing that all twelve-month contracts made with any such employees shall begin on July 1st and end on June 30th in the year terminating the contract; providing that all such contracts shall be approved by the county superintendent of the county having jurisdiction and supervision of such rural High School Districts; repealing all laws and parts of laws in conflict and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 843 on Third Reading

Senator Latimer moved that the

constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 843 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The presiding officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

House Bill 361 on Second Reading

The presiding officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 361, A bill to be entitled "An Act exempting institutions or organizations such as the San Antonio Conservation Society, chartered by the State of Texas for the purpose of preserving historical landmarks and sites; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 361 on Third Reading

Senator Latimer moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 361 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The presiding officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

House Bill 43 on Second Reading

The presiding officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 43, A bill to be entitled "An Act amending Uniform Act reg-

ulating traffic on highways, Chapter 421, Senate Bill 172, Acts of a Regular Session of the 50th Legislature, providing authority in the State Highway Commission to further establish, modify and change from time to time the rate of speed of motor vehicles and the erection, removal and maintenance of light signals, Stop and Slow signs and other traffic indicators upon State designated highways, a part of the State Highway System as designated by the State Commission to adopt and amend a manual and specifications for traffic signals in towns of less than 2,500 population according to the last Federal Census; providing for the administration thereof and for fines, penalties and suits for the enforcement thereof; providing for the manner, means and method of establishing and maintaining said signals, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 43 on Third Reading

Senator Latimer moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 43 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The presiding officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Ashley
-------	--------

Bell	Moore
Bracewell	Parkhouse
Colson	Phillips
Corbin	Rogers
Fuller	of Childress
Hardeman	Rogers of Travis
Hazlewood	Russell
Kazen	Rutherford
Kelley	Sadler
Lane	Secrest
Latimer	Shireman
Lock	Strauss
Martin	Wagon seller
McDonald	Weinert
Moffett	Willis

House Bill 889 on Second Reading

The presiding officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 889, A bill to be entitled "An Act amending Chapter 4, Acts of the 51st Legislature, First Called Session, 1950 (codified as Article 1528c in Vernon's Texas Civil Statutes), by changing the definition of 'rural area' contained in Section 2 to mean any area in this State located outside the boundaries of any incorporated or unincorporated city, town, or village having a population in excess of one thousand six hundred inhabitants, and by changing Subsection (5) of Section 4 so as to prohibit a telephone cooperative from furnishing local telephone exchange service within the boundaries of any incorporated or unincorporated city, town or village within this State having a population in excess of one thousand six hundred inhabitants; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 889 on Third Reading

Senator Sadler moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 889 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Colson
Ashley	Corbin
Bell	Fuller
Bracewell	Hardeman

Hazlewood	Rogers
Kazen	of Childress
Kelley	Rogers of Travis
Lane	Russell
Latimer	Rutherford
Lock	Sadler
Martin	Secrest
McDonald	Shireman
Moffett	Strauss
Moore	Wagon seller
Parkhouse	Weinert
Phillips	Willis

The presiding officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagon seller
Martin	Weinert
McDonald	Willis

House Bill 322 on Second Reading

The presiding officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 322, A bill to be entitled "An Act repealing the tax on terminal companies, Article 7072, Revised Civil Statutes of Texas, 1925; and declaring an emergency."

The bill was read the second time.

Senator Hardeman offered the following amendment to the bill:

Amend House Bill 322, printed copy, by deleting entire "Preamble," in lines 14 through 21.

The amendment was adopted.

The bill, as amended, was passed to third reading.

House Bill 322 on Third Reading

Senator Secrest moved that the constitutional rule requiring bills to be

read on three several days be suspended and that H. B. No. 322 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hazlewood	Russell
Kazen	Rutherford
Kelley	Sadler
Lane	Secrest
Latimer	Shireman
Lock	Strauss
Martin	Wagonseller
McDonald	Weinert
Moffett	Willis

Nays—2

Aikin Hardeman

The presiding officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hazlewood	Russell
Kazen	Rutherford
Kelley	Sadler
Lane	Secrest
Latimer	Shireman
Lock	Strauss
Martin	Wagonseller
McDonald	Weinert
Moffett	Willis

Nays—2

Aikin Hardeman

House Bill 321 on Second Reading

The presiding officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 321, A bill to be entitled "An Act deleting reference to the capital stock tax; amending Article

7063, Revised Civil Statutes of Texas, 1925; and declaring an emergency."

The bill was read second time.

Senator Hardeman offered the following amendment to the bill:

Amend House Bill 321, printed copy, by deleting the entire "Preamble," in lines 13 through 20.

The amendment was adopted.

The bill, as amended, was passed to third reading.

House Bill 321 on Third Reading

Senator Secrest moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 321 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The presiding officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Latimer
Ashley	Lock
Bell	Martin
Bracewell	McDonald
Colson	Moffett
Corbin	Moore
Fuller	Parkhouse
Hardeman	Phillips
Hazlewood	Rogers
Kazen	of Childress
Kelley	Rogers of Travis
Lane	Russell

Rutherford
Sadler
Secrest
Shireman

Strauss
Wagonseller
Weinert
Willis

House Bill 519 on Second Reading

The presiding officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 519, A bill to be entitled "An Act to amend Article 4365 of the Revised Civil Statutes of 1925, providing that the federal agencies, state courts, schools, school districts, departments and other state agencies shall not be required to give bond for the issuance of duplicate warrant when the original has been lost or destroyed; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 519 on Third Reading

Senator Bell moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 519 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The presiding officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Colson
Ashley	Corbin
Bell	Fuller
Bracewell	Hardeman

Hazlewood
Kazen
Kelley
Lane
Latimer
Lock
Martin
McDonald
Moffett
Moore
Parkhouse
Phillips

Rogers
of Childress
Rogers of Travis
Russell
Rutherford
Sadler
Secrest
Shireman
Strauss
Wagonseller
Weinert
Willis

House Bill 836 on Second Reading

The presiding officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 836, A bill to be entitled "An Act to amend Acts of the 50th Legislature, 1947, Regular Session, Chapter 186, page 321, so as to create a Board of Directors for the Jackson County Flood Control District; etc., and declaring an emergency."

The bill was read second time.

Senator Bell offered the following amendment to the bill:

Amend House Bill 836 by deleting the first two sentences in the second paragraph of Section 1, and inserting in lieu thereof the following:

"The management and control of all of the affairs of the district shall be vested in a Board of Directors consisting of seven (7) members, who must reside within Jackson County and shall be freehold property taxpayers and legal voters of the State of Texas."

The amendment was adopted.

On motion of Senator Bell, and by unanimous consent of the Senate, the caption was amended to conform to the body of the bill, as amended.

The bill, as amended, was passed to third reading.

House Bill 836 on Third Reading

Senator Bell moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 836 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Ashley
-------	--------

Bell	Moore
Bracewell	Parkhouse
Colson	Phillips
Corbin	Rogers
Fuller	of Childress
Hardeman	Rogers of Travis
Hazlewood	Russell
Kazen	Rutherford
Kelley	Sadler
Lane	Secrest
Latimer	Shireman
Lock	Strauss
Martin	Wagonseller
McDonald	Weinert
Moffett	Willis

The presiding officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

House Bill 520 on Second Reading

The presiding officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 520, A bill to be entitled "An Act providing it shall be unlawful for a person to take or kill more than one wild turkey in the County of Freestone in any one hunting season; providing a penalty for violation of said Act; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 520 on Third Reading

Senator Moore moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 520 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The presiding officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

House Bill 874 on Second Reading

The presiding officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 874, A bill to be entitled "An Act to regulate the taking of fish from the Colorado River in the counties of Mills and San Saba; prescribing a penalty; repealing laws in conflict to the extent of such conflict; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 874 on Third Reading

Senator Ashley moved that the con-

stitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 874 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagon seller
Martin	Weinert
McDonald	Willis

The presiding officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagon seller
Martin	Weinert
McDonald	Willis

House Bill 757 on Second Reading

The presiding officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 757, A bill to be entitled "An Act to create a County Criminal Court for Tarrant County, Texas; etc., and declaring an emergency."

The bill was read the second time.

Senator Hardeman offered the following amendment to the bill:

Amend H. B. No. 757 by adding at the end of Section 2, and as a part thereof, the following sentences: "It shall also have concurrent jurisdiction with the County Court at Law of Tarrant County, and shall possess the same powers, in all civil matters of which the County Court at Law of Tarrant County has jurisdiction; and either of the judges of these courts may in his discretion transfer any civil or criminal cause which may be pending in his court to the other court by an order entered upon the minutes of his court. Where such transfer is made, the clerk shall enter such cause upon the docket of the court to which the transfer is made, and, when so entered upon the docket, the judge of that court shall try and dispose of the cause in the same manner as if it were originally instituted in that court."

The amendment was adopted.

The bill, as amended, was passed to third reading.

House Bill 757 on Third Reading

Senator Willis moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 757 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagon seller
Martin	Weinert
McDonald	Willis

The presiding officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time.

On motion of Senator Willis and

by unanimous consent of the Senate, the caption was amended to conform to the body of the bill, as amended.

The bill, as amended, was passed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

Bills and Resolutions Signed

The presiding officer announced the signing of, by the President, in the presence of the Senate after the captions had been read, the following enrolled bills and resolutions:

S. B. No. 107, A bill to be entitled "An Act amending Art. 17.05, Art. 17.06, Art. 17.11, Art. 17.16, Art. 17.17, Sec. 4 of Art. 17.25, Sec. 7 of Art. 17.25 and Sec. 9 of Art. 17.25 of Senate Bill 236, known as the Insurance Code, Acts 1951, 52nd Legislature; amending Art. 17.25 by adding thereto Sec. 22 requiring that every county mutual insurance company licensed and doing business under Chapter 17 of the Insurance Code at the effective date of this Act shall have until May 31, 1954, to comply with the requirements of this Act, that those companies which fail to so comply shall not thereafter issue new policies until such requirements are met but that those companies which fail to so comply may continue to operate under the Articles herein amended in so far as policies issued on or before May 31, 1954, are concerned and may be so licensed; providing severability; and declaring an emergency."

S. J. R. No. 2, Proposing an amendment to Article IX of the Constitution of the State of Texas by adding thereto a new section to be known as Section 4, by providing that the Leg-

islature may authorize the creation of county-wide hospital districts in certain counties if approved by the qualified property taxpaying voters at an election held for that purpose within such district; etc.

S. C. R. No. 25, Memorializing the Congress and the Legislatures of the various States as to the people's right to know about their own government.

S. C. R. No. 33, Authorizing Texas Juvenile Training School at Gatesville to execute Right-of-Way Easements to Community Public Service Company.

S. B. No. 302, A bill to be entitled "An Act creating within the State of Texas in addition to the districts into which the State has heretofore been divided a Navigation District to be known as the Calhoun County Navigation District consisting of all that part of Calhoun County, including all the land and water area of the county, except that part of said county now included by metes and bounds in the West Side Calhoun County Navigation District as described in Volume H, pages 568-570, minutes of the Commissioners Court of Calhoun County, Texas, etc.; and declaring an emergency."

House Bill 654 on Second Reading

The presiding officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 654, A bill to be entitled "An Act creating within the State of Texas, in addition to the Districts into which the State has heretofore been divided, a District to be known as Orange County Navigation Conservation and Port District of Orange County, Texas, etc., and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 654 on Third Reading

Senator Fuller moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 654 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The presiding officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

House Bill 891 on Second Reading

The presiding officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 891, A bill to be entitled "An Act to make available to the Lamar State College of Technology the funds available in a special State Treasury Account and make such appropriation to the Board of Regents of said College to be expended for the construction of buildings on the campus of said School pursuant to the general laws of this State; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 891 on Third Reading

Senator Fuller moved that the con-

stitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 891 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The presiding officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

House Bill 598 on Second Reading

The presiding officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 598, A bill to be entitled "An Act relating to the use of dogs in hunting deer; amending Acts Thirty-ninth Legislature, Chapter 172, Sec. 25, as amended, exempting Shelby County from the provisions of such Act; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 598 on Third Reading

Senator Lane moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 598 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The presiding officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

House Bill 437 on Second Reading

The presiding officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 437, A bill to be entitled "An Act amending subsection (6) of

Section 1, of Chapter 544, General Laws, 47th Legislature, Regular Session, page 873, being codified as subsection (6) of Section 1 of Article 2654c, Vernon's Civil Statutes, and pertaining to the provision for members of designated Armed Services of the United States, and their husbands, wives, and children to enroll in institutions of higher learning in this State by paying the tuition fees and other fees or charges provided for residents of the State; providing a saving clause and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 437 on Third Reading

Senator Shireman moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 437 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The presiding officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Kazen
Ashley	Kelley
Bell	Lane
Bracewell	Latimer
Colson	Lock
Corbin	Martin
Fuller	McDonald
Hardeman	Moffett
Hazlewood	Moore

Parkhouse	Sadler
Phillips	Secrest
Rogers	Shireman
of Childress	Strauss
Rogers of Travis	Wagon seller
Russell	Weinert
Rutherford	Willis

House Bill 878 on Second Reading

The presiding officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 878, A bill to be entitled "An Act authorizing private corporations to be formed to sell and service television receiving sets and equipment and to engage in the installation and servicing of central aerial equipment; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 878 on Third Reading

Senator Latimer moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 878 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagon seller
Martin	Weinert
McDonald	Willis

The presiding officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Bracewell
Ashley	Colson
Bell	Corbin

Fuller	Phillips
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Russell
Lane	Rutherford
Latimer	Sadler
Lock	Secrest
Martin	Shireman
McDonald	Strauss
Moffett	Wagon seller
Moore	Weinert
Parkhouse	Willis

House Bill 578 on Second Reading

The presiding officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 578, A bill to be entitled "An Act amending Article 6528, Revised Civil Statutes of Texas of 1925, by providing that at the direction of the Secretary of State his seal of office and his official signature in endorsements on bonds registered by him under said statute may be his facsimile seal and his facsimile signature; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 578 on Third Reading

Senator Martin moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 578 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagon seller
Martin	Weinert
McDonald	Willis

The presiding officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

House Concurrent Resolution 47 on Second Reading

The presiding officer laid before the Senate on its second reading and passage to third reading:

H. C. R. No. 47, Authorizing Ruthie May Bell of Denton, Texas, to sue the State of Texas.

The resolution was read second time and was passed to third reading.

House Concurrent Resolution 47 on Third Reading

Senator Latimer moved that the constitutional rule requiring resolutions to be read on three several days be suspended and that H. C. R. No. 47 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The presiding officer then laid the resolution before the Senate on its third reading and final passage.

The resolution was read third time and was adopted by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

Report of Standing Committee

By unanimous consent, Senator Fuller submitted the following report:

Austin, Texas,
May 11, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 873, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

FULLER, Chairman

House Bill 873 Ordered Not Printed

On motion of Senator Moffett, and by unanimous consent of the Senate, H. B. No. 873 was ordered not printed.

House Bill 848 Added to Local and Uncontested Bill Calendar

On motion of Senator Martin, and by unanimous consent of the Senate, H. B. No. 848 was added to the Calendar of Local and Uncontested Bills.

House Bill 848 on Second Reading

The presiding officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 848, A bill to be entitled "An Act amending Chapter 128, page 223, Acts of the 50th Legisla-

ture of Texas, Regular Session, 1947, by adding a new Section authorizing the abolition of water control and improvement districts which, when created, were composed of territory situated wholly within the boundaries of an existing incorporated city; etc., and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 848 on Third Reading

Senator Martin moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 848 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The presiding officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

House Bill 431 on Second Reading

The presiding officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 431, A bill to be entitled "An Act to amend Chapter 399, Section 1, Acts of the 52nd Legislature, 1951, by providing that no county auditor shall hereafter be appointed in any county having a population of not more than twenty-five thousand five hundred (25,500) and not less than three thousand (3,000) where no such county auditor has been appointed by the District Judge prior to the effective date of this Act; etc., and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 431 on Third Reading

Senator Moffett moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 431 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The presiding officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Fuller
Ashley	Hardeman
Bell	Hazlewood
Bracewell	Kazen
Colson	Kelley
Corbin	Lane

Latimer	Rogers of Travis
Lock	Russell
Martin	Rutherford
McDonald	Sadler
Moffett	Secrest
Moore	Shireman
Parkhouse	Strauss
Phillips	Wagonseller
Rogers	Weinert
of Childress	Willis

House Bill 624 on Second Reading

The presiding officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 624, A bill to be entitled "An Act to amend Section 5 of Senate Bill No. 422, Chapter 362, page 692 of the General and Special Laws passed by Regular Session of the 51st Legislature, making the County Court at Law of Nueces County a court of continuous term; and declaring an emergency."

The bill was read the second time.

Senator Shireman offered the following amendment to the bill:

Amend H. B. No. 624 by striking out all below the enacting clause and inserting in lieu thereof the following:

"Section 1. That Section 5 of Senate Bill No. 422, Acts of the 51st Legislature, Regular Session, 1949, Chapter 362, page 692, be and the same is hereby amended so as to hereafter read as follows:

"Section 5. The times and number of terms of the County Court of Law of Nueces County shall be fixed by the Commissioners Court of Nueces County as prescribed by Section 29 of Article V of the Constitution of Texas and the terms of the County Court of Law of Nueces County shall not be less than four (4) terms per year. The terms of the County Court of Law of Nueces County shall be held in the Courthouse of Nueces County. The practice in said court and appeals and writs of error therefrom shall be as prescribed by laws relating to County Courts."

"Sec. 2. The fact that the dockets of the County Court of Law of Nueces County are greatly burdened and crowded and speedy justice is thereby impaired, all of which is to the detriment of the public, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three sev-

eral days in each House be suspended; and the same is hereby suspended, and this Act shall take effect and be in force from and after the date of its passage, and it is so enacted."

The amendment was adopted.

Senator Shireman offered the following amendment to the bill:

Amend H. B. No. 624 by striking all above the enacting clause and inserting in lieu thereof the following:

"A bill to be entitled an Act to amend Section 5 of Senate Bill No. 422, Acts of the 51st Legislature, 1949, Chapter 362, page 692, so as to provide that the times and terms of the county court of law of Nueces County shall be fixed by the Commissioners Court of Nueces County and shall not be less than four (4) terms per year; and declaring an emergency."

The amendment was adopted.

The bill, as amended, was passed to third reading.

House Bill 624 on Third Reading

Senator Shireman moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 624 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The presiding officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Ashley
-------	--------

Bell	Moore
Bracewell	Parkhouse
Colson	Phillips
Corbin	Rogers
Fuller	of Childress
Hardeman	Rogers of Travis
Hazlewood	Russell
Kazen	Rutherford
Kelley	Sadler
Lane	Secrest
Latimer	Shireman
Lock	Strauss
Martin	Wagon seller
McDonald	Weinert
Moffett	Willis

Local and Uncontested Bill Calendar Concluded

Senator Martin announced that the session for the consideration of Local and Uncontested Bills was concluded.

(President in the Chair.)

Committee Substitute House Bill 579 on Second Reading

On motion of Senator Lock, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C. S. H. B. No. 579, A bill to be entitled "An Act creating 'Upper Neches River Municipal Water Authority,' etc., and declaring an emergency."

The bill was read second time.

Senator Lock offered the following committee amendment to the bill:

Amend Committee Substitute for H. B. 579, by inserting the following sentence after the first sentence of Section 17, page 28:

"Any such contract which may be entered into shall reserve to the District all water rights which it may obtain under permits granted by the State Board of Water Engineers, and shall provide that title to all facilities constructed under its terms shall pass to the District or its designee or designees upon payment to the United States of all obligations incurred in connection with the project."

The committee amendment was adopted.

Senator Lock offered the following amendment to the bill:

Amend Subsection (b) of Sec. 6 of the Committee Substitute for H. B.

579, page 4, lines 53, 58 and 61, by placing a comma after the word "electric" and inserting between the words "electric," and "and" the following: "telephone, telegraph."

The amendment was adopted.

Senator Lock offered the following amendment to the bill:

Amend Subsection (e) of Sec. 13 of the Committee Substitute for H. B. 579, page 7, line 52, by inserting between the words "pipelines," and "and" the following: "telephone and telegraph lines."

The amendment was adopted.

On motion of Senator Lock, and by unanimous consent of the Senate, the caption was amended to conform to the body of the bill, as amended.

The bill, as amended, was passed to third reading.

Committee Substitute House Bill 579 on Third Reading

Senator Lock moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 579 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	McDonald
Ashley	Moffett
Bell	Moore
Bracewell	Parkhouse
Colson	Phillips
Corbin	Rogers of Travis
Fuller	Rutherford
Hardeman	Sadler
Hazlewood	Secrest
Kazen	Shireman
Kelley	Strauss
Lane	Wagon seller
Latimer	Weinert
Lock	Willis
Martin	

Absent

Rogers	Russell
of Childress	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Rutherford
Hazlewood	Sadler
Kazen	Secrest
Kelley	Shireman
Lane	Strauss
Latimer	Wagonseller
Lock	Weinert
McDonald	Willis

Nays—1

Martin

Absent

Russell

Committee Substitute
Senate Bill 122 on Second Reading

On motion of Senator Bell, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. No. 122, A bill to be entitled "An Act making it unlawful to operate any commercial motor vehicle or truck-tractor over any public highway by anyone other than the registered owner unless a copy of any lease, memorandum or agreement under which such operation is authorized shall be filed with the Department of Public Safety, etc.; and declaring an emergency."

The bill was read second time and passed to engrossment.

Committee Substitute
Senate Bill 122 on Third Reading

Senator Bell moved that the Constitutional rule requiring bills to be read on three several days be suspended and that C. S. S. B. No. 122 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Bell
Ashley	Bracewell

Colson	Parkhouse
Corbin	Phillips
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Rutherford
Lane	Sadler
Latimer	Secrest
Lock	Shireman
Martin	Weinert
Moffett	Willis
Moore	

Nays—2

Strauss

Wagonseller

Absent

Fuller
McDonald

Russell

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Record of Vote

Senator Strauss asked to be recorded as voting "nay" on the final passage of C. S. S. B. No. 122.

Motion to Place Senate Bill 65 on
Second Reading

Senator Moore asked unanimous consent to suspend the regular order of business and take up S. B. No. 65 for consideration at this time.

There was objection.

Senator Moore then moved to suspend the regular order of business and take up S. B. No. 65 for consideration at this time.

The motion was lost by the following vote (not receiving two-thirds vote of the Members present):

Yeas—15

Ashley	Moore
Bracewell	Phillips
Colson	Rogers of Travis
Fuller	Secrest
Hazlewood	Shireman
Martin	Wagonseller
McDonald	Willis
Moffett	

Nays—14

Aikin	Hardeman
Bell	Kazen
Corbin	Kelley

Lane	Rutherford
Latimer	Sadler
Parkhouse	Strauss
Rogers	Weinert
of Childress	

Absent

Lock	Russell
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Senate Bill 164 on Second Reading

On motion of Senator Rogers of Childress, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 164, A bill to be entitled "An Act requiring the preparation and publication of an annual financial statement for each school district, junior college district, soil conservation district, road district, or any district organized under Section 52 of Article III or Section 59 of Article XVI of the Constitution of Texas; repealing conflicting laws; and declaring an emergency."

The bill was read second time.

Senator Rogers of Childress offered the following committee amendment to the bill:

Amend S. B. 164 by striking out the phrase "once each week for three successive weeks," in Section 1.

The committee amendment was adopted.

The bill, as amended, was passed to engrossment.

Senate Bill 164 on Third Reading

Senator Rogers of Childress moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate Bill No. 164 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Kazen
Ashley	Lane
Bell	Latimer
Bracewell	Lock
Colson	Martin
Corbin	McDonald
Fuller	Moffett
Hardeman	Moore
Hazlewood	Parkhouse

Phillips	Secrest
Rogers	Shireman
of Childress	Strauss
Rogers of Travis	Wagon seller
Rutherford	Weinert
Sadler	Willis

Nays—1

Kelley

Absent

Russell

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Record of Vote

Senator Kelley asked to be recorded as voting "nay" on final passage of S. B. No. 164.

Senate Concurrent Resolution 44 on Second Reading

On motion of Senator Ashley, and by unanimous consent of the Senate, the President laid before the Senate for consideration at this time the following resolution:

S. C. R. No. 44, Governor to appoint committee to study preservation of records of Texas and Texans.

The resolution was read second time and was adopted.

Senate Bill 341 on Second Reading

On motion of Senator Aikin, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 341, A bill to be entitled "An Act creating the Texas Commission on Higher Education; describing its appointments, compensation, organization, duties, and powers for studying the needs of higher education in this State and for recommending a coordinated system of State supported agencies of higher education; appropriating funds for its operation and maintenance; setting a termination date for its work; and declaring an emergency."

The bill was read second time and passed to engrossment.

Senate Bill 341 on Third Reading

Senator Aikin moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate Bill No. 341 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Willis
McDonald	

Nays—1

Hardeman

Absent

Russell Weinert

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Record of Vote

Senator Hardeman asked to be recorded as voting "nay" on the final passage of S. B. No. 341.

House Bill 415 on Second Reading

On motion of Senator Strauss and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading.

H. B. No. 415, A bill to be entitled "An Act providing proper parties to give consent for autopsies on bodies of deceased; containing a saving clause; and declaring an emergency."

The bill was read the second time.

Senator Strauss offered the following committee amendment to the bill:

Amend H. B. No. 415, paragraph 2, lines 1 and 2, Section 1, by deleting the words "or if no wife or child survive or in the case of a woman, husband or child."

The committee amendment was adopted.

The bill, as amended, was passed to third reading.

House Bill 415 on Third Reading

Senator Strauss moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 415 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Rutherford
Hazlewood	Sadler
Kazen	Secrest
Kelley	Shireman
Lane	Strauss
Latimer	Wagonseller
Lock	Weinert
Martin	Willis
McDonald	

Absent

Russell

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Latimer
Ashley	Lock
Bell	Martin
Bracewell	McDonald
Colson	Moffett
Corbin	Moore
Fuller	Parkhouse
Hardeman	Phillips
Hazlewood	Rogers
Kazen	of Childress
Kelley	Rogers of Travis
Lane	Russell

Rutherford
Sadler
Secrest
Shireman

Strauss
Wagonseller
Weinert
Willis

Senate Bill 332 on Second Reading

On motion of Senator Rogers of Travis and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 332, A bill to be entitled "An Act to provide for the issuance by the State Highway Department of special license tags to owners of passenger motor vehicles who operate mobile amateur radio equipment therein, and who have Federal Communication Commission authority; providing for the registration of such vehicles; providing for the duties of County Tax Assessors and Collectors in regard to this law; and declaring an emergency."

The bill was read the second time.

Senator Bracewell offered the following amendment to the bill:

Amend S. B. No. 332 by striking therefrom the figures "\$1.00" on line 28 of page 1 of the printed copy thereof and inserting in lieu thereof the following:

"\$2.00 for the first year of such registration and \$1.00 for each annual registration thereafter."

The amendment was adopted.

Senator Aikin offered the following amendment to the bill:

Amend S. B. No. 332 by striking out the word "shall" in line 28, page 1 and insert in lieu thereof the word "may."

The amendment was adopted.

Senator Parkhouse offered the following amendment to the bill:

Amend S. B. No. 332, Section 1, line 22, by deleting the word "mobile."

On motion of Senator Rogers of Travis, the amendment was tabled.

The bill, as amended, was passed to engrossment.

Senate Bill 332 on Third Reading

Senator Rogers of Travis moved

that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 332 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Ashley	Parkhouse
Bell	Phillips
Bracewell	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis
Moffett	

Absent

Colson

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Senate Bill 17 on Second Reading

On motion of Senator Wagonseller and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 17, A bill to be entitled "An Act repealing Art. 3.03 of Senate Bill 236 known as the Insurance Code, Acts 1951, 52nd Legislature; providing that such repeal and the provisions of this Act shall not apply to or affect any company now doing business under the law repealed nor any company incorporated hereafter which within 90 days after its incorporation reinsures or converts the business of any mutual assessment company or association domiciled and doing business in this State at the effective date hereof, which has at least \$50,000.00 in its mortuary fund at the time of such conversion or reinsurance, and such companies shall continue to be governed by the regulatory provisions

of such law; and declaring an emergency."

The bill was read second time and passed to engrossment.

Senate Bill 17 on Third Reading

Senator Wagonseller moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate Bill No. 17 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—25

Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Corbin	Rogers
Fuller	of Childress
Hazlewood	Rogers of Travis
Kazen	Rutherford
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
McDonald	Weinert
Moffett	Willis

Nays—4

Aikin	Martin
Hardeman	Russell

Absent

Colson	Sadler
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The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Record of Vote

Senators Hardeman, Russell and Aikin asked to be recorded as voting "nay" on the final passage of S. B. No. 17.

Bills and Resolutions Signed

The President signed in the presence of the Senate, after the captions had been read, the following enrolled bills and resolutions:

H. C. R. No. 94, Giving the Enrolling Clerk authority to make changes in H. B. No. 500.

H. J. R. No. 16, Proposing an amendment to Section 19 of Article

XVI of the Constitution of the State of Texas to provide that the qualifications for service on grand and petit juries shall not be denied or abridged by reason of sex; providing for an election and the issuance of a proclamation therefor; and appropriating funds for the financing thereof.

H. B. No. 148, A bill to be entitled "An Act authorizing the State Board of Waters Engineers of Texas to plug improperly capped oil wells now flowing salt water into the Frio River from State Lease No. MF 8214 in McMullen County; providing an emergency appropriation therefor; repealing all laws and parts of laws in conflict therewith to extent of conflict only; and declaring an emergency."

H. B. No. 320, A bill to be entitled "An Act deleting reference to the specific Legislature which levied the tax rate on oil upon which the tax rate on liquid hydrocarbons recovered from gas is based; amending Paragraph (3) of Section 1, of main Section I of House Bill No. 628, Chapter 269, Acts of 1945, 49th Legislature, as compiled in Article 7047(b), Vernon's Texas Civil Statutes; and declaring an emergency."

H. B. No. 384, A bill to be entitled "An Act amending Section 1 of Chapter 41, Acts of the 41st Legislature, Second Called Session, 1929, Ch. 41, page 71, so as to provide for designation by cities and towns of routes for superheavy and oversize equipment used in the transportation of such commodities as cannot be reasonably dismantled on State highways through said cities and towns; and declaring an emergency."

H. B. No. 433, A bill to be entitled "An Act providing for the exemption of the owners, licensees and operators of radio or television broadcasting stations and their agents and employees from damages for defamatory statements made over such stations by one other than such owner, licensee or operator, or agent or employee, etc.; and declaring an emergency."

H. B. No. 456, A bill to be entitled "An Act creating a conservation district under Article XVI, Section 59, of the Constitution comprising certain territory contained within the City of Waco in McLennan County, Texas, for the purpose of providing a source of water supply for municipal, domes-

tic and industrial use, etc., and declaring an emergency."

H. B. No. 476, A bill to be entitled "An Act creating a conservation district under Article XVI, Section 59, of the Constitution, comprising certain territory within Wilbarger County, Texas, for the purpose of providing a source of water supply; etc., and declaring an emergency."

H. B. No. 494, A bill to be entitled "An Act providing a closed season on wild deer and wild turkey in Williamson County; providing penalties for a violation of this Act; and declaring an emergency."

H. B. No. 569, A bill to be entitled "An Act prescribing the minimum and maximum salary to be paid the Judge of the County Court of Law of Cameron County; repealing all laws in conflict; providing a severability clause; and declaring an emergency."

H. B. No. 853, A bill to be entitled "An Act to preserve and protect wild and tame pheasants in Waller County for a period of five (5) years; prescribing the penalty for violation of this Act; and declaring an emergency."

H. C. R. No. 108, Be it resolved by the House of Representatives, the Senate concurring, that the Joint Rules of the House and Senate be and are hereby suspended to allow the House to take up and consider local and uncontested bills on Wednesday, May 13, 1953.

H. B. No. 22, A bill to be entitled "An Act authorizing and empowering the Board of Regents of the University of Texas to levy a student fee which in their discretion may seem necessary for the purpose of operating, maintaining, and improving the Texas Union Building at the University of Texas; etc.; and declaring an emergency."

House Bills and Resolutions on First Reading

The following bills and resolutions, received from the House, were read first time and were referred to the committees indicated:

H. B. No. 872, to Committee on Towns and City Corporations.

H. B. No. 609, to Committee on Public Health.

H. C. R. No. 101, to Committee on Civil Jurisprudence.

H. B. No. 726, to Committee on Water Rights, Irrigation and Drainage.

H. B. No. 533, to Committee on Educational Affairs.

H. B. No. 771, to Committee on Judicial Districts.

H. C. R. No. 87, to Committee on Civil Jurisprudence.

H. C. R. No. 89, to Committee on Civil Jurisprudence.

H. C. R. No. 90, to Committee on Civil Jurisprudence.

H. C. R. No. 91, to Committee on Civil Jurisprudence.

H. C. R. No. 78, to Committee on Civil Jurisprudence.

H. C. R. No. 99, to Committee on Civil Jurisprudence.

H. C. R. No. 96, to Committee on Civil Jurisprudence.

H. B. No. 302, to Committee on Educational Affairs.

H. B. No. 303, to Committee on Educational Affairs.

H. B. No. 324, to Committee on Game and Fish.

H. B. No. 312, to Committee on State Institutions and Departments.

H. B. No. 430, to Committee on Judicial Districts.

H. B. No. 353, to Committee on Public Health.

H. B. No. 555, to Committee on Game and Fish.

H. B. No. 441, to Committee on State Affairs.

H. B. No. 770, to Committee on Judicial Districts.

H. B. No. 769, to Committee on State Affairs.

H. B. No. 631, to Committee on Civil Jurisprudence.

H. C. R. No. 93, to Committee on Civil Jurisprudence.

H. C. R. No. 88, to Committee on Civil Jurisprudence.

Senate Bill 232 on Second Reading

Senator Corbin asked unanimous consent to suspend the regular order of business to take up for consideration at this time S. B. No. 232.

There was objection.

Senator Corbin then moved to suspend the regular order of business and take up S. B. No. 232 for consideration at this time.

The motion prevailed by the following vote:

Yeas—24

Aikin	Lock
Ashley	McDonald
Bell	Moffett
Bracewell	Moore
Colson	Parkhouse
Corbin	Rogers
Fuller	of Childress
Hardeman	Sadler
Hazlewood	Secrest
Kazen	Strauss
Kelley	Wagonseller
Lane	Willis
Latimer	

Nays—2

Martin	Phillips
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Absent

Rogers of Travis	Shireman
Russell	Weinert
Rutherford	

The President laid before the Senate for consideration at this time the following bill:

S. B. No. 232, A bill to be entitled "An Act authorizing and empowering the Board of Regents of the Texas Technological College to levy a regular fixed student fee for the purpose of operating, maintaining, and improving the Texas Technological Student Union Building; and declaring an emergency."

The bill was read second time.

Senator Corbin offered the following amendment to the bill:

Amend S. B. 232 by deleting the following sentence on lines 32, 33, and 34 of the printed bill, "Providing that any student who is exempted from the tuition fees shall be exempted from the Union fees."

The amendment was adopted.

On motion of Senator Corbin, and by unanimous consent of the Senate, the caption was amended to conform to the body of the bill, as amended.

The bill, as amended, was passed to engrossment.

Senate Bill 232 on Third Reading

Senator Corbin moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate Bill No. 232 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—25

Aikin	Parkhouse
Bell	Rogers
Bracewell	of Childress
Colson	Rogers of Travis
Corbin	Russell
Hardeman	Rutherford
Hazlewood	Sadler
Kazen	Secrest
Kelley	Shireman
Lane	Strauss
Lock	Wagonseller
Moffett	Weinert
Moore	Willis

Nays—4

Latimer	McDonald
Martin	Phillips

Absent

Ashley	Fuller
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The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Record of Vote

Senator Martin asked to be recorded as voting "nay" on the final passage of S. B. No. 232.

Reports of Standing Committees

By unanimous consent, Senator Parkhouse submitted the following report:

Austin, Texas,
May 11, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Towns and City Corporations, to whom was

referred H. B. No. 872, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PARKHOUSE, Chairman.

By unanimous consent, Senator Ashley submitted the following report:

Austin, Texas,
May 11, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred H. B. No. 556, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

ASHLEY, Chairman.

Senate Bill 228 on Second Reading

Senator Lock asked unanimous consent to suspend the regular order of business to take up for consideration at this time S. B. No. 228.

There was objection.

Senator Lock then moved to suspend the regular order of business to take up S. B. No. 228 for consideration at this time.

The motion prevailed by the following vote:

Yeas—23

Bell	Moffett
Colson	Moore
Corbin	Parkhouse
Fuller	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Russell
Lane	Rutherford
Latimer	Secrest
Lock	Strauss
Martin	Wagonseller
McDonald	Weinert

Nays—6

Aikin	Sadler
Ashley	Shireman
Hardeman	Willis

Absent

Bracewell	Phillips
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The President laid before the Senate for consideration at this time the following bill:

S. B. No. 228, A bill to be entitled "An Act creating an additional District Court for Angelina, Cherokee and Nacogdoches Counties, Texas, to be known as the 140th District Court; adjusting the business of the 2nd District Court to the business thereof; providing for the appointment of a District Judge therefor; providing the terms of the 140th District Court created hereby and providing for continuous terms of said Court in each of said Counties; . . . etc.; and declaring an emergency."

The bill was read second time and passed to engrossment.

Senate Bill 228 on Third Reading

Senator Lock moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 228 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—25

Aikin	Moffett
Bracewell	Moore
Colson	Parkhouse
Corbin	Rogers
Fuller	of Childress
Hazlewood	Rogers of Travis
Kazen	Russell
Kelley	Rutherford
Lane	Secrest
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

Nays—4

Ashley	Sadler
Hardeman	Shireman

Absent

Bell	Phillips
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The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Bell	Fuller
Bracewell	Hazlewood
Colson	Kazen
Corbin	Kelley

Lane	Rogers of Travis
Latimer	Russell
Lock	Rutherford
Martin	Secrest
McDonald	Shireman
Moffett	Strauss
Moore	Wagon seller
Parkhouse	Weinert
Rogers	Willis
of Childress	

Nays—4

Aikin	Hardeman
Ashley	Sadler

Absent

Phillips

Senate Concurrent Resolution 51 on First Reading

Senator McDonald moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a resolution, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagon seller
Martin	Weinert
McDonald	Willis

The following resolution was then introduced, read first time and referred to the committee indicated:

By Senator McDonald:

S. C. R. No. 51, Granting City of Tyler and Smith County permission to sue the State of Texas.

Whereas, The City of Tyler, Texas, and Smith County, Texas, through use of their public funds, paid the purchase price for lands situated in Smith County, Texas, all of which are now a part of what is known as

"Tyler State Park," which said lands were conveyed to the Texas State Park Board, some of which were conveyed with the specific statement that the purchase price was paid by the City of Tyler, Texas, and Smith County, Texas, and that if the same should cease to be used for State park purposes, then the title would pass to and vest in the City of Tyler, Texas, and Smith County, Texas, in the proportions to which they had contributed the purchase money therefor; and

Whereas, The Board for Leasing of State Park Lands has executed oil, gas and mineral leases on some or all of said lands to various parties and companies and collected lease bonuses for such oil, gas and mineral leases as have been executed, and has collected and will continue to collect delay rentals payable and which may be paid under and by virtue of such oil, gas and mineral leases, and in the event of production therefrom will collect the royalties and overriding royalties which may become due and payable from production from said premises; and

Whereas, the City of Tyler, Texas, and Smith County, Texas, contend that they are the real, true and beneficial owners of all of said lands, including the oil, gas and other minerals therein and thereunder; that if the Texas State Park Board has any right thereto, which is denied by said City and County, the same is limited to the surface thereof for State park purposes, and that if said Texas State Park Board or the Board for Leasing of State Park Lands had any authority to lease the same, that said City of Tyler, Texas, and Smith County, Texas, are the real, true and beneficial owners of the bonuses received for such leases, and the rentals and royalties, including overriding royalties, that may be paid or become due and payable under the terms of such leases; and

Whereas, It is the contention of the persons and companies who have purchased lease or leases on said lands, or parts thereof, that in the event the lease or leases executed by the Board for Leasing of State Park Lands are invalid and unauthorized, that they are entitled to recover of and from the State of Texas the lease bonuses paid and the lease rentals paid and which may be paid by virtue of said lease or leases and the royalties and overriding royalties which may be

paid under and by virtue of said leases; now, therefore, be it

Resolved, By the Senate of Texas, the House of Representatives concurring, that the City of Tyler, Texas, and Smith County, Texas, and such individuals and companies as may have purchased oil, gas and mineral lease or leases on lands and tracts of lands within the Tyler State Park, be and they are hereby independently and individually granted permission to sue the State of Texas on such cause or causes of action as they may assert under and by virtue of the conditions hereinbefore set out and to recover judgment against the State of Texas for such relief as they may be entitled to under the facts developed and the law relating to their claims asserted, including the recovery of any bonuses, delay rentals and royalties paid the State under the terms of any oil, gas and mineral leases. Be it further

Resolved, That the running of the primary term of any oil, gas and mineral lease heretofore issued by the State Park Board or Board for Leasing of State Park Lands shall be suspended, and all obligations imposed by such leases shall be set at rest during the period of any litigation arising hereunder, provided such litigation is initiated at least six (6) months prior to the expiration of the primary term of any such leases.

It is understood that the purpose of this resolution is to grant permission to sue the State of Texas to each and

all of the parties named or described above and their successors and assigns, as well as any and all holders of such causes of action, and nothing herein contained shall be construed as an admission of liability against the State of Texas, and the facts upon which the respective plaintiffs or parties, their successors or assigns, may seek to recover must be proved as in any other case.

Service of citation for the purpose herein granted may be had upon the State of Texas by serving the Attorney General of Texas and the Secretary of State of the State of Texas and the Chairman of the Texas State Park Board.

Said suit may be brought in any court of competent jurisdiction in Smith County, Texas.

Permission herein granted to sue the State of Texas includes the right to sue the Texas State Park Board and the Board for Leasing of State Park Lands, and the parties authorized to bring suit hereunder may severally sue or join together in one action or one or more actions, and so doing shall not constitute a misjoinder or a nonjoinder of parties or causes of action.

To the Committee on Civil Jurisprudence.

Adjournment

On motion of Senator Weinert, the Senate at 4:18 o'clock p. m. adjourned until 10:30 o'clock a. m. tomorrow.

In Memory of
David Oscar Bates

Senator Lock offered the following resolution:

(Senate Resolution 269)

Whereas, In the passing of David Oscar Bates from this earthly life on the second day of May, 1953, the State of Texas, and in particular the city and county of Nacogdoches, have suffered a great loss; and

Whereas, Mr. Bates was a lifetime resident of Nacogdoches County, having been born in the Nat Community in 1884; and

Whereas, As a merchant who had lived in the city of Nacogdoches for twenty-seven years, Mr. Bates was known and respected by the citizens of his community; and

Whereas, David Oscar Bates is survived by a daughter, Mrs. O. K. Howard; four sons, Garth Bates, a member of the House of Representatives; Kyle Bates; Harold Bates; and Quentin Bates; and by two sisters and four brothers; now, therefore, be it

Resolved, By the Senate of the State of Texas, that we express to the members of the family our sincere sympathy and regret upon the passing of this fine citizen; and, be it further

Resolved, That a copy of this resolution be mailed to the members of the family as a token of our sympathy.

The resolution was read and was adopted by a rising vote of the Senate.